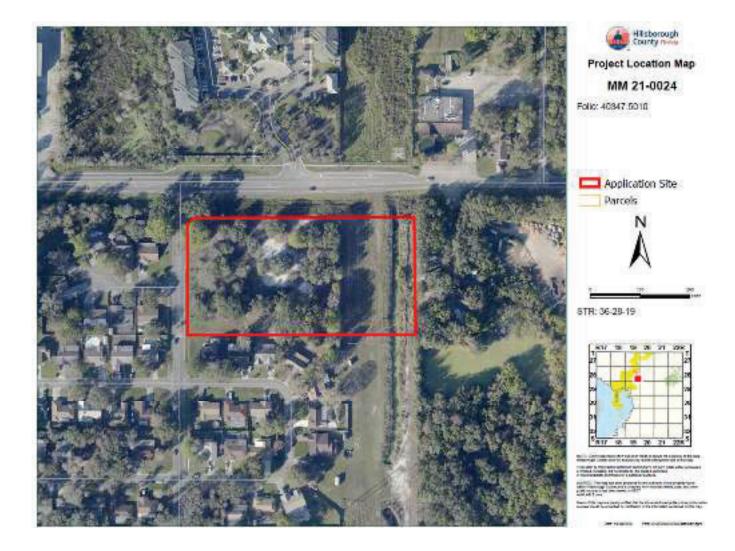


### **STAFF REPORT**

SUBJECT:	PD 21-0024	PLANNING AREA:	East Lake Orient Park
REQUEST:	Major Modification to Planned	SECTOR	Central
	Development		
APPLICANT:	Joseph Strada		
Existing Zoning : PD		Comp Plan Category: CMU-12	

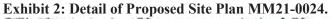


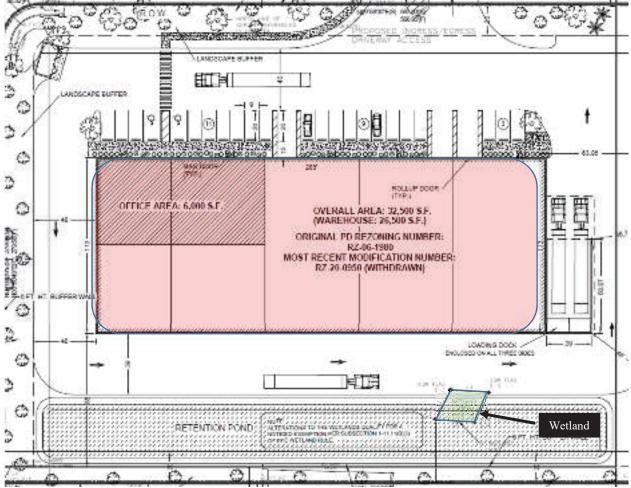
#### **Application Review Summary and Recommendation**

#### 1.0 Summary

### **1.1 Project Narrative**

The applicant is requesting a modification of the existing Planned Development (PD) to allow the for the development of a contractor's office / warehouse facility with no open storage on a 4.16 acre site and located at the southeast corner of Sligh Avenue and Wood Branch Drive. The applicant is proposing to modify the PD site plan and conditions of approvel to develop an electrical contractor's office with 6,000 SF of office space and 26,500 SF of warehouse space. The detail of the site plan below shows the main structure footprint (highlighted in red) in the center of the lot with two loading bays and a stormwater retention pond located to the south of the parcel and serving as buffer to the single family homes located adjacent and to the south of the site. The applicant has indicated they intend to construct the office and warehouse to look like a unified office building rather than a warehouse. TECO transmission lines are located on the eastern third of the parcel. As noted in Exhibit 2 a small wetland is located on the site mostly in the envelope of the retention pond.





The existing PD (06-1980) is currently approved for 28,000 sf of Business, Professional Office Uses with a site plan showing 8 separate offfices buildings/structures and a pedestrian connection (highlighted in red) to Wood Branch Drive and the Woodlands Neighborhood.

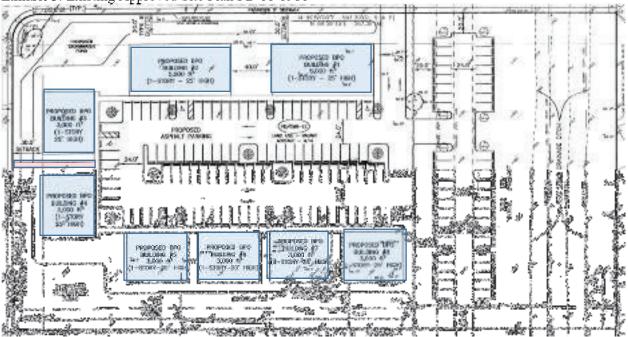


Exhibit 3: Existing Approved Site Plan PD 06-1980

EXHIBIT 4: Existing Site : View from NW corner subject site



### **Proposed Development Standards**

The applicant has proposed development standards conforming to the CG Zoning designation. The proposed Floor to Area ratio (FAR) of project is 0.17 compared to the maximum allowed in a CG district of 0.27. Maximum height of the building will be 25 feet compared to the allowed 50 foot height of the district. The project will be required to provide a 20 foot Type B buffer adjacent to the single family homes to the south. A type B buffer will include a 6-foot barrier/fencing with 75 percent opacity and a row of evergreen shade trees which are not less than ten feet high at the time of planting, and are a minimum of two-inch caliper, and are spaced not more than 20 feet apart. Front yard setbacks of 30 feet are required on the north and west sides of the subject parcel.

### Connectivity/Access

Access for the project will be limited to one access point on East Sligh Avenue which will align with the Emery Mill Drive serving the Cross Creek Apartment Complex on the north side of East Sligh Avenue.

The pedestrian connection to Wood Branch Drive and the Woodlands neighborhood, to the west has been eliminated. Staff supports the elimination of this connection as an electrical contractor's office is not likely to utilize a pedestrian connection with the adjacent neighborhood in the same way a business professionl office could utilize the connection.

### Environmental

Exhibit 5 Map Depicting Location of Wetlands



The site contains two (2) wetlands located as depicted in Exhibit 5. The smaller wetland will be most enveloped in the stormwater retention pond as depicted on the site plan, and the larger wetland is located on the eastern edge of the parcel on the TECO Easement. Both wetland have been identified as "likely exempted" and have been verified as likely exempt by EPC.

### 1.2 Compliance Overview with Land Development Code and Technical Manuals

The applicant has not requested any variations to Land Development Code Part 6.05.00 (Parking/Loading), or Part 6.07.00 (Fences/Walls), or Part 6.06.06 (Buffering and Screening).

#### **1.3 Analysis of Recommended Conditions**

The recommended conditions provide for the following changes to the existing PD conditions for PD 06-1980.

- Maximum permitted square footage will increase from 28,000sf to 32,500sf.
- Conditions requiring that development retain a residential character as is common with BPO structures and zoning have been replaced with conditions regulating the appearance of the primary structure to minimize impacts on the single family homes located to the south of the site.
- The operating hours have changed to accommodate a contractor's office and are restricted to 6 AM to 5 PM Monday through Friday.
- Transportation conditions have been modified and eliminated as noted in the transportation agency comments. The site plan has been modified to align the access on Sligh Avenue with Emery Mill Drive on the northern side of Sligh Avenue East.
- Outdated conditions referring to concurrency and transportation conditions have been largely modified to comport with current practice.

### 1.4 Evaluation of Existing and Planned Public Facilities

#### Utilities

The subject parcel is located in the urban service area therefore regulated by the current policies and requirements of the comprehensive plan and the land development code which requires connections to public facilities, where feasible. The site lies within the City of Tampa water and wastewater service area and therefore will have to connect with the City of Tampa Water and Wastewater services

### Transportation

Transportation Review Section staff has no objection to the proposed rezoning and has provided conditions of approval. The proposed zoning modification is anticipated to decrease (by 642 average daily trips, 24 AM peak hour trips, and 33 PM peak hour trips) the maximum trip generation potential of the subject site at buildout. Vehicular access to the project will be restricted to Sligh Ave. and shall align with Emery Mill Dr. Staff has proposed modifications to existing approved zoning conditions changes to comport with current practice and/or to reflect changes in development requirements due to the applicant's proposed zoning modification.

### **1.5 Comprehensive Plan Consistency**

Planning Commission staff has found the proposed planned development is *Consistent* with the Future of Hillsborough Comprehensive Plan.

### **1.6 Compatibility**

Adjacent zoning and uses are as follows:

### **Exhibit 6: Matrix of Adjacent Uses**

LOCATION	ZONING	LAND USE
North	PD 06-1817	East Sligh Avenue and Apartment Complex
South	RSC-6	Single Family Residential
East	Mostly CN and a small portion of CI	Non Conforming Mobil Home Park and Vacant
West	RSC-6	Wood Branch Drive and Single Family Residential

As Exhibit 6 indidcates, the subject parcel is surrounded by a mix of residential uses to the north east south and west. The residential uses to the north are multi family and the residential use to the east is a mobile home park nonconforming to the CN zoning designation. The single-family homes to the south and west of the subject parcel are part of an established single family residential neighborhood. However, the land uses immediately surrounding the subject parcel do not match the predominantly light industrial commercial uses that are located in the larger surrounding area and specifically north of East Sligh Avenue.

The existing pattern of development within a  $3^{rd}$  of a mile from to proposed project is a mix of commercial and light industrial uses to the east and north of the project. The project site is located approximately a half mile from the intersection of U.S. 301 and East Sligh avenue where a number of similar uses are located.

The applicant has agreed to certain conditions that will minimize the impacts of a contractor's office adjacent to the single-family residential neighborhood two the south and west. These conditions include no windows on the south side of the building and limited hours of operation. In addition the applicant has agreed to design and construct the office and warehouse portions of the structure in a unified maner so that the warehouse will look more like an office than a warehouse.

Based on the pattern of existing development in proximity to the proposed project and the accommodation proposed by the applicant for the single family homes adjacent to the project, staff believe the project will not introduce any new incompatibilities in the immediate area.

### **1.6 Recommendation**

Based on the above considerations staff finds the proposed general site development plan approvable.

### **1.7 Agency Comments**

The following agencies have reviewed the request:

- Water Resource Services
- Environmental Protection Commission with conditions
- Development Service, Impact Fee and Mobility
- Development Services, Transportation, with conditions
- Tampa Electric Company

#### **1.8 Exhibits**

Exhibit 1: Project Location Map Exhibit 2: Detail of Proposed Site Plan MM21-0024 Exhibit 3: Existing Approved Site Plan PD 06-1980 Exhibit 4: Existing Site : View from NW corner subject site Exhibit 5: Map Depicting Location of Wetlands Exhibit 6: Matrix of Adjacent Uses Exhibit 7: General Development Site Plan MM21-0024 Exhibit 8: Intermediate Zoning Map Exhibit 9: Future Land Use Map

### 2.0 Recommendation

Prior to PD site plan certification, the applicant shall revise the PD plan to eliminate a graphic error depicted on the site plan adjacent to the loading bays. <u>In addition, the applicant shall revise the PD Plan by inserting a photo of a building that depicts the architectural style of the structure the applicant intends to construct on the subject site.</u>

**Approval** - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted March 30, 2021.

- The project may be permitted a maximum of 32,500 28,000, square feet of Contractors Office without Open Storage BPO (Business, Professional Office) uses. Subject to formal delineation of on-site conservation areas, preservation areas and water bodies and final calculation of maximum intensity (FAR) permitted by the Comprehensive Plan in accordance with the Environmentally Sensitive Lands Credits requirement of the Comprehensive Plan. If the maximum square footage for the project as permitted herein exceeds the maximum intensity (FAR) permitted by the Comprehensive Plan, per the Environmentally Sensitive Lands Credits requirement, the square footage of the project shall decrease as necessary to conform to the Comprehensive Plan.
  - 1.1 As shown in the submitted transportation analysis, this site may be permitted up to <u>32,500</u> 28.000 square feet of a <u>contractor's office without open storage</u>. general office uses. Medical office development may not be permitted without the submission of a detailed transportation analysis.
  - 1.2 Approval of this rezoning does not grant approval of the mobile home that, based upon the submitted site plan, encroaches into the southeast comer of the site.
- 2. Unless otherwise stated herein, the project shall be developed in accordance with <u>CG</u> BPO zoning district standards.
  - 2.1 The maximum size of individual buildings shall be as shown on the site plan.

CASE REVIEWER: Steve Beachy, AICP

- 2.2 Buildings shall be single story with pitched roof lines and a maximum height of 25 feet.
- 2.2 Buildings shall be single story with pitched roof lines and a maximum height of 25 feet.
- 2.3 Buildings shall retain a residential character. In addition, at least 60% of the length of each facade that faces a public right-of-way shall be comprised of windows, shutters, transoms, awnings, porches, doors, recessed entryways, porticos, or pilasters. Prior to Construction Plan approval, the developer shall submit a building elevation indicating consistency with this condition. The exterior of the building including warehouse area will retain the character of a professional office building. The number of transom/windows on the south and west elevations will be kept to a minimum to preserve homeowner privacy. The bottom sill of the transom windows will be maintained at a minimum of 8 feet on the south and west elevations. Lighting will be kept to code minimums where it could impact surrounding residences, but the site will remain lit to deter after hours activity onsite. Lighting will be provided in accordance with the Land Development Code
- 2.4 The building will be constructed in an architectural style that is in accordance with the photo attached to the PD General Development Site Plan.
- 3. Buffering and screening shall be provided in accordance with the Land Development Code unless otherwise provided herein.
  - 3.1 A 20-foot buffer shall be provided along Sligh Avenue and Wood Branch Drive and between the property and abutting houses to the south. A 4 foot split rail or wrought iron fence shall be provided along said rights of way. A masonry wall that meets the land development code standards for the applicable screening standard will be provided along the south border of the property and Wood Branch Avenue. Landscaping shall be in accordance with the Land Development Code. Solid walls and/or fences shall not be permitted along Sligh and Wood Branch Drive. Prior to Site Plan Certification, the developer shall modify the plan to indicate these requirements.
  - 3.2 The planting of required trees shall be sensitive to overhead electric utility lines. Trees that exceed a mature overall height of 20 feet shall not be planted within 30 feet of an existing or proposed overhead electric utility line.
  - 4. Hours of operation shall be from <u>6</u>9:00 am to <u>5</u>9:00 pm Monday through Friday. <del>and</del> <del>9:00am to 5:00pm on Saturday.</del>

- 5. The project shall be subject to all tree preservation requirements of the Land Development Code.
- Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
- The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
- Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
- Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
- 10. The general design, number and location of the access point(s) shall be regulated by the Hillsborough County Access Management regulations as found in the Land Development Code (Land Development Code Section 6.04). The design and construction of curb cuts are subject to approval by the Hillsborough County Planning and Growth Management Department. Final design, if approved by Hillsborough County Planning and Growth Management Department may include, but is not limited too: left turn lanes, acceleration lane(s) and deceleration lane(s). Access points may be restricted in movements. The project shall be permitted one (1) vehicular access connection to Sligh Ave., which shall align with Emery Mill Dr. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundaries.
- 11. Prior to Concurrency approval, the Developer shall provide a traffic analysis, signed by a Professional Engineer, showing the length of the left and right turn lanes needed to serve development traffic at the project driveway(s) and at impacted intersections. If it is determined by the results of the analysis submitted by the developer, that adequate rightof-way does not exist to construct any needed improvements (i.e. turn lanes), then the developer shall re-submit an analysis showing the maximum development that could occur to still enable the needed improvements to be constructed. The development will be limited to the size as shown in the submitted analysis.

- 12. Based on the projected trip generation to the site, access onto the public road would be via "Type II", Minor Roadway Connection (50 1500 trip ends per day), LDC 6.04.01.E ... Accordingly, the Land Development Code requires (see LDC 6.04.03 G) that all internal access (the "throat") to the driveways must be a minimum of 50 feet from the edge of pavement of the public roadway, and shall remain free of internal connections or parking spaces which might interfere with the movement of vehicles into or out of the site. The applicant has the option of submitting an analysis showing that for his particular site, a throat of less than 50 feet is appropriate and will result in no adverse impact to the public roadway system. If the Driveway is to be gated, then the throat depth may exceed 50 feet in length to accommodate stacking vehicles.
- 13. The developer shall construct a left turn lane into the site. Pending the results of the transportation analysis, other improvements may include building/extending turn lanes at the adjacent intersection. If it is determined by the results of the analysis submitted by the developer, that adequate right-of-way does not exist to construct any needed improvements (i.e. turn lanes), then the developer shall re-submit an analysis showing the maximum development that could occur to still enable the needed improvements to be constructed. The development will be limited to the size as shown in the submitted analysis.
  - 13.1 The developer shall financially support the intersection improvements at Orient Road and Sligh Avenue, the amount to be determined at site development review.
- 14.—The applicant shall be required to pave any portion of the access drive which lies within the existing right-of-way (LDC 6.04.05).
- 15. As is noted in the Land Development Code, one of the major reasons for diminished capacity of public roads is an increase in access points along roadways which increases the potential conflict points. Because of this, the applicant shall show the ability to provide cross access to adjacent parcels of like land uses. If any of the adjacent properties are developed under the same developer/owner, then cross access must be provided. All cross access shall be in accordance with the Hillsborough County Land Development Code Section 6.04.03 Q.
- 16. If required to meet Concurrency, at a minimum, the Developer shall provide a traffic analysis, signed by a Professional Engineer, showing the types of improvements needed to serve background plus development traffic. The developer shall be responsible for any construction needed to off set the impacts from the development.

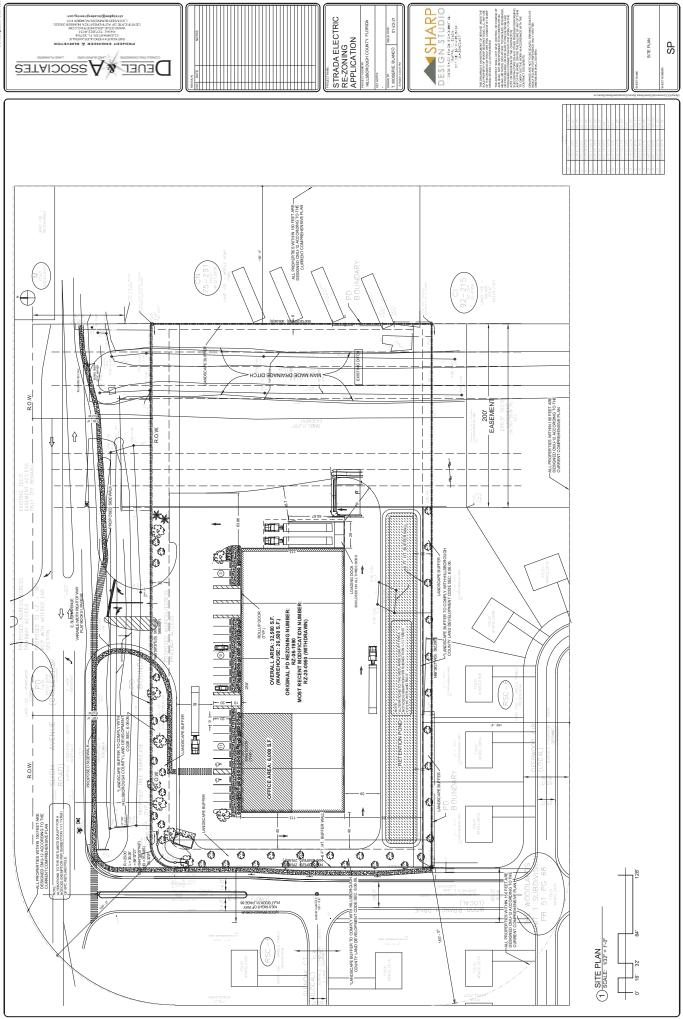
- 17. The Developer shall construct sidewalks within the right of way along all roadways adjacent to the property boundaries and along both sides of all internal roadways. The sidewalks shall be a minimum width of five (5) feet. Pedestrian interconnectivity shall be provided between uses and adjacent parcels.
- 18. The applicant shall provide internal access to any existing or future out parcels on the site (LDC 5.03.05 H).
- 19. Prior to the issuance of certificates of occupancy, the applicant shall improve/widen Sligh Avenue adjacent to the site to County standards. As Sligh Ave. is a substandard collector roadway, the developer will be required to improve Sligh Ave., between the project entrance and nearest standard portion of Sligh Ave. (i.e. +/- 650 feet east of the subject site) to current County standards for a TS- 7 collector roadway as found within the Hillsborough County Transportation Technical Manual (TTM).
- 20. The developer shall install along the easternmost boundary of the parking area a 4 foot high split rail or wrought iron fence of the same design as provided along Sligh Avenue and Wood Branch Drive in accordance with conditions contained herein. The provision of this fence, as well as the location of said fence, shall be subject to review and approval by TECO and the Public Works Department.
- 21. The stormwater management system shall be designed and constructed in such a manner so as to not adversely impact off-site surface and groundwater elevations.
- 22. The type, location, size and number of signs permitted shall be as set forth in Part 7.03.00 of the Land Development Code with the following exception(s):
  - 22.1 Ground Signs shall be limited to Monument Signs.
  - 22.2 Billboards, pennants and banners shall be prohibited.
- 23. Approval of this application does not ensure that water will be available at the time when the applicant seeks permits to actually develop.
- 24. Approval of this rezoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to wetlands, and does not grant any implied or vested right to environmental approvals.

- 25. The developer shall submit an application for review and approval by the TECO Land Use Committee. Any improvements within the TECO easement, including parking areas and any drainage structures shall be subject to review and approval by TECO.
- 26. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.
- 27. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.
- 28. Within 90 days of approval by the Hillsborough County Board of County Commissioners, the applicant shall submit to the <u>Planning and Growth Management Development Services</u> Department a revised General Development Plan for certification which conforms to the notes and graphic of the plan to the conditions outlined above and the Land Development Code (LDC). Subsequent to certification of the plan, if it is determined the certified plan does not accurately reflect the conditions of approval or requirements of the LDC, said plan will be deemed invalid and certification of the revised plan will be required.
- 29. Effective as of February 1, 1990, this development order/permit shall meet the concurrency requirements of Chapter 163, Part II, Florida Statutes. Approval of this development order/permit does not constitute a guarantee that there will be public facilities at the time of application for subsequent development orders or permits to allow issuance of such development orders or permits

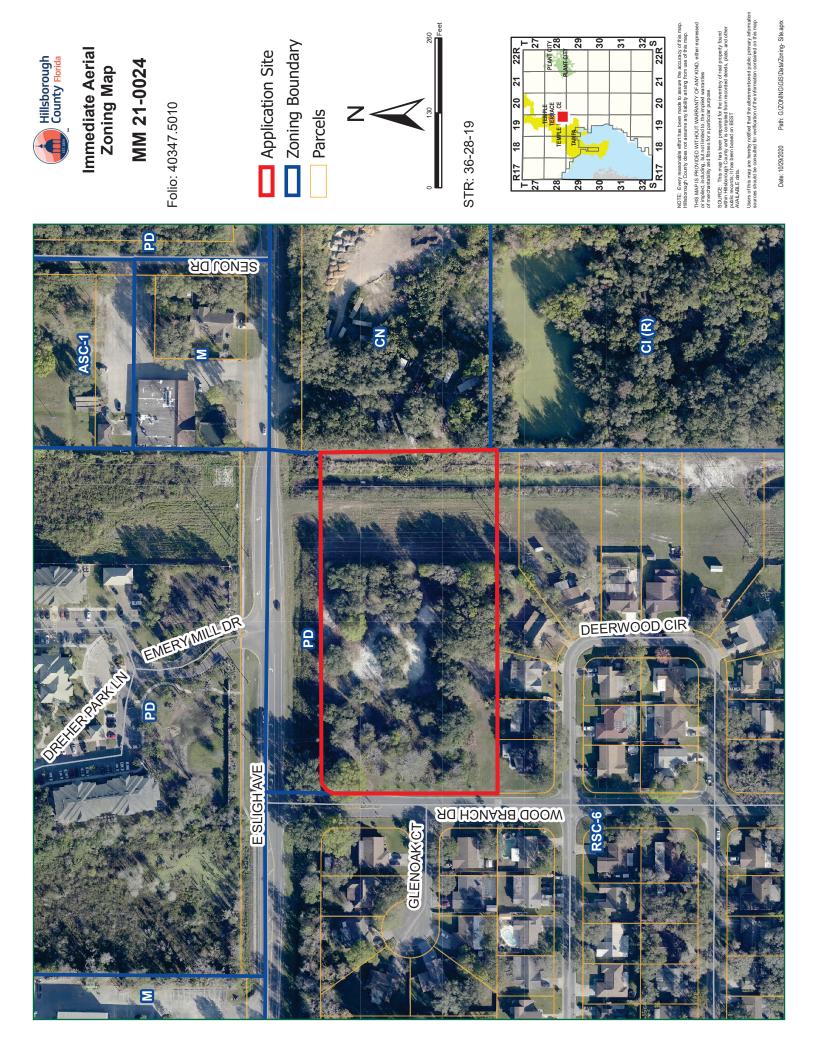
#### APPLICATION: PD 21-0024 ZHM HEARING DATE: April 19, 2021 BOCC MEETING DATE: June 8, 2021

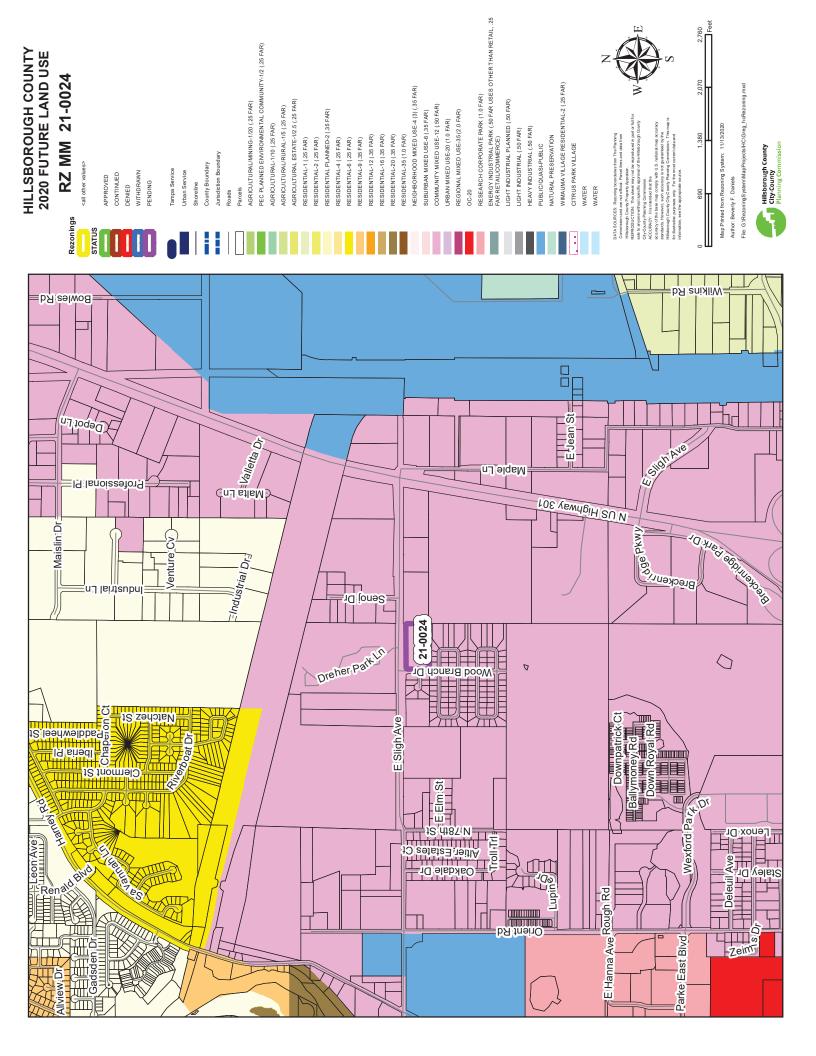
CASE REVIEWER: Steve Beachy, AICP

Staff's Recommendation: Approvable, Subject to Conditions Zoning Administrator Sign-off: Mon Apr 12 2021 13:42:35



Received Mar 30, 2021 Development Services 21-0024





# COUNTY OF HILLSBOROUGH

## RECOMMENDATION OF THE LAND USE HEARING OFFICER

APPLICATION NUMBER:	MM 21-0024
DATE OF HEARING:	April 19, 2021
APPLICANT:	Joseph Strada
PETITION REQUEST:	The Major Modification request is to modify PD 06-1980 to develop a contractor's office/warehouse facility with no open storage
LOCATION:	8185 E. Sligh Avenue
SIZE OF PROPERTY:	4.17 acres, m.o.l.
EXISTING ZONING DISTRICT:	PD 06-1980
FUTURE LAND USE CATEGORY:	CMU-12
SERVICE AREA:	Urban
COMMUNITY PLAN:	East Lake Orient Park

### DEVELOPMENT REVIEW STAFF REPORT

1.0 Summary 1.1 Project Narrative

The applicant is requesting a modification of the existing Planned Development (PD) to allow the for the development of a contractor's office / warehouse facility with no open storage on a 4.16 acre site and located at the southeast corner of Sligh Avenue and Wood Branch Drive. The applicant is proposing to modify the PD site plan and conditions of approval to develop an electrical contractor's office with 6,000 SF of office space and 26,500 SF of warehouse space. The detail of the site plan below shows the main structure footprint (highlighted in red) in the center of the lot with two loading bays and a stormwater retention pond located to the south of the parcel and serving as buffer to the single family homes located adjacent and to the south of the site. The applicant has indicated they intend to construct the office and warehouse to look like a unified office building rather than a warehouse. TECO transmission lines are located on the eastern third of the parcel. As noted in Exhibit 2 a small wetland is located on the site mostly in the envelope of the retention pond.

The existing PD (06-1980) is currently approved for 28,000 sf of Business, Professional Office Uses with a site plan showing 8 separate offices buildings/structures and a pedestrian connection (highlighted in red) to Wood Branch Drive and the Woodlands Neighborhood.

### Proposed Development Standards

The applicant has proposed development standards conforming to the CG Zoning designation. The proposed Floor to Area ratio (FAR) of project is 0.17 compared to the maximum allowed in a CG district of 0.27. Maximum height of the building will be 25 feet compared to the allowed 50 foot height of the district. The project will be required to provide a 20-foot Type B buffer adjacent to the single-family homes to the south. A type B buffer will include a 6-foot barrier/fencing with 75 percent opacity and a row of evergreen shade trees which are not less than ten feet high at the time of planting, and are a minimum of twoinch caliper, and are spaced not more than 20 feet apart. Front yard setbacks of 30 feet are required on the north and west sides of the subject parcel.

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The pedestrian connection to Wood Branch Drive and the Woodlands neighborhood, to the west has been eliminated. Staff supports the elimination of this connection as an electrical contractor's office is not likely to utilize a pedestrian connection with the adjacent neighborhood in the same way a business professional office could utilize the connection.

The site contains two (2) wetlands located as depicted in Exhibit 5. The smaller wetland will be most enveloped in the stormwater retention pond as depicted on the site plan, and the larger wetland is located on the eastern edge of the parcel on the TECO Easement. Both wetlands have been identified as "likely exempted"

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The applicant has not requested any variations to Land Development Code Part 6.05.00 (Parking/Loading), or Part 6.07.00 (Fences/Walls), or Part 6.06.06 (Buffering and Screening).

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The recommended conditions provide for the following changes to the existing PD conditions for PD 06- 1980.

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- The operating hours have changed to accommodate a contractor's office and are restricted to 6 AM to 5 PM Monday through Friday.
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### Utilities

The subject parcel is located in the urban service area therefore regulated by the current policies and requirements of the comprehensive plan and the land development code which requires connections to public facilities, where feasible.

The site lies within the City of Tampa water and wastewater service area and therefore will have to connect with the City of Tampa Water and Wastewater services

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Transportation Review Section staff has no objection to the proposed rezoning and has provided conditions of approval. The proposed zoning modification is anticipated to decrease (by 642 average daily trips, 24 AM peak hour trips, and 33 PM peak hour trips) the maximum trip generation potential of the subject site at buildout. Vehicular access to the project will be restricted to Sligh Ave. and shall align with Emery Mill Dr. Staff has proposed modifications to existing approved zoning conditions changes to comport with current practice and/or to reflect changes in development requirements due to the applicant's proposed zoning modification.

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Planning Commission staff has found the proposed planned development is Consistent with the Future of Hillsborough Comprehensive Plan.

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Exhibit 6: Matrix of Adjacent Uses

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The existing pattern of development within a 3<sup>rd</sup> of a mile from to proposed project is a mix of commercial and light industrial uses to the east and north of the project. The project site is located approximately a half mile from the intersection of U.S. 301 and East Sligh avenue where a number of similar uses are located.

The applicant has agreed to certain conditions that will minimize the impacts of a contractor's office adjacent to the single-family residential neighborhood two the south and west. These conditions include no windows on the south side of the building and limited hours of operation. In addition the applicant has agreed to design and construct the office and warehouse portions of the structure in a unified manner so that the warehouse will look more like an office than a warehouse.

Based on the pattern of existing development in proximity to the proposed project and the accommodation proposed by the applicant for the single family homes adjacent to the project, staff believe the project will not introduce any new incompatibilities in the immediate area.

### 1.6 Recommendation

Based on the above considerations staff finds the proposed general site development plan approvable.

### **1.7 Agency Comments**

The following agencies have reviewed the request:

- Water Resource Services
- Environmental Protection Commission with conditions
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2.0 Recommendation

Prior to PD site plan certification, the applicant shall revise the PD plan to eliminate a graphic error depicted on the site plan adjacent to the loading bays. In addition, the applicant shall revise the PD Plan by inserting a photo of a building that depicts the architectural style of the structure the applicant intends to construct on the subject site.

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted March 30, 2021.

Zoning conditions were presented and revised to the Zoning Hearing Master at the hearing and are hereby incorporated into the Zoning Hearing Master's recommendation.

### SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on April 19, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition and distributed a revised staff report.

Ms. Taylor Moser with the Sharp Design Studio 12100 Race Track Road Tampa testified on behalf of the applicant Mr. Joe Strada for a Major Modification to the existing PD located at 8185 East Sligh Avenue.

Mr. Grady asked the authorized agent, Mr. Duran to put on the record that Ms. Moser is permitted to speak. Mr. Diego Duran confirmed that Ms. Moser can speak for the applicant.

Ms. Moser continued her presentation by showing a PowerPoint presentation and discussing the request. She testified that the subject property is 4.7 acres in size and approved for Business Professional Office including medical office land uses. The Major Modification is requested to permit a contractor's office without open storage. The currently approved use has eight, one-story office buildings with a total of 28,000 square feet and 153 parking spaces. The proposed site plan proposes a one-story building comprised of 6,000 square feet for office and 26,500 square feet for warehouse for a total of 32,500 square feet and 23 parking spaces. Ms. Moser detailed the proposed hours of operation as well as the proposed alignment of the access point with Emery Mill Drive. The subject property is vacant. Ms. Moser described the surround land uses and zoning districts which include an apartment complex to the north, a mobile home park as well as property zoned CI the east and residential to the south and west. She discussed the request in terms of consistency with the CMU-12 land use category and stated that the proposed building will provide a buffer between the residential uses and more intense commercial and industrial development to the east. She showed a graphic depicting the headquarters of Strada Electric which is located in Sanford Florida as an example of the proposed contractor's office. Ms. Moser stated that the proposed change in the use of the property will result in a decrease in the daily number of vehicular trips by 642 trips. She explained that a neighborhood meeting was held and that the concerns expressed by the neighbors included the possible increase in traffic, security measures on-site and the entry sign to the neighborhood. The residential sign for the neighborhood is located on the subject property. The property owner has no intent of changing the sign. Ms. Moser concluded her presentation by stating that the request does not set an inappropriate precedent in the area and conforms to the Comprehensive Plan.

Mr. Steve Beachy, of the Development Services Department, testified regarding the County staff report. Mr. Beachy stated that the property is 4.6 acres in size and located on Sligh and Wood Branch Drive. He stated that the applicant proposes to increase the development from 28,000 square feet of BPO uses to 32,500 square feet of office warehouse uses. The applicant has agreed to a condition that limits the sill of the window to at least 8 feet in height thereby preventing warehouse workers the ability to see into the neighbor's backyards located to the south. Mr. Beachy concluded his presentation by stating that the applicant has committed to the architectural style shown in the applicant's representative PowerPoint presentation.

Ms. Jiwaun Haley of the Planning Commission testified regarding the Planning Commission staff report. Ms. Haley stated that the property is designated Community Mixed Use-12 on the Future Land Use map and located in the Urban Service Area and the East Lake Orient Community Plan. She added that the requested square footage is far less than the maximum permitted to be considered under the CMU-12 land use category and that the proposed buffering and screening will provide a gradual transition of uses through site planning techniques. The request is consistent with Objective 16 and its associated policies. The rezoning is consistent with the East Lake Orient Community Plan which promotes opportunities for business growth and jobs. Ms. Haley stated that staff finds the request consistent with the Comprehensive Plan.

Hearing Master Finch asked audience members if there were any proponents of the application. None replied.

Hearing Master Finch asked audience members if there were any opponents of the application. None replied.

Mr. Grady of the Development Services Department stated that the residential sign mentioned by the applicant's representative is not regulated through the PD process but rather the separate sign permitting process.

Ms. Moser did not have additional comments.

Hearing Master Finch then concluded the hearing.

### **EVIDENCE SUBMITTED**

Mr. Grady submitted a revised staff report into the record.

### PREFACE

All matters that precede the Summary of Hearing section of this Decision are hereby incorporated into and shall constitute a part of the ensuing Findings of Fact and Conclusions of Law.

### **FINDINGS OF FACT**

- The subject site is 4.17 acres in size and is zoned Planned Development (06-1980). The property is designated CMU-12 by the Comprehensive Plan and located in the Urban Service Area and the East Lake Orient Community Plan.
- 2. The Planned Development is currently approved for 28,000 square feet of Business Professional Office (BPO) including medical office with eight separate office buildings.
- 3. The Major Modification request is to increase the maximum square footage from 28,000 square feet to 32,500 square feet and to add the use of contractor's office with no open storage.
- 4. The Planning Commission finds the requested square footage is far less than the maximum permitted to be considered under the CMU-12 land use category and that the proposed buffering and screening will provide a gradual transition of uses through site planning techniques. The Planning Commission staff also found the request to be consistent with the East Lake Orient Community Plan and the Comprehensive Plan.
- 5. The applicant's representative testified that the proposed additional use of contractor's office will decrease the number of daily vehicular trips by 642 trips per day.

- 6. Proposed zoning conditions include a requirement to provide a masonry wall along the southern boundary of the property and Wood Branch Avenue and to construct the building with a professional office exterior. Windows located along the southern and western sides of the building are required to be kept to a minimum to preserve the privacy of the adjacent residential homes.
- 7. The proposed Major Modification request is consistent with the character of the area and intent of the Land Development Code and the Comprehensive Plan.

### FINDINGS OF COMPLIANCE/NON-COMPLIANCE WITH THE HILLSBOROUGH COUNTY COMPREHENSIVE PLAN

The Major Modification request is in compliance with and does further the intent of the Goals, Objectives and the Policies of the Future of Hillsborough Comprehensive Plan.

### CONCLUSIONS OF LAW

Based on the Findings of Fact cited above, there is substantial competent evidence to demonstrate that the requested Major Modification to the Planned Development zoning is in conformance with the applicable requirements of the Land Development Code and with applicable zoning and established principles of zoning law.

### SUMMARY

The Major Modification to Planned Development 06-1980 request is to increase the maximum square footage from 28,000 square feet to 32,500 square feet and to add the use of contractor's office with no open storage. The Planned Development is currently approved for 28,000 square feet of Business Professional Office (BPO) including medical office with eight separate office buildings.

The Planning Commission found the modification to be consistent with the East Lake Orient Community Plan and the Comprehensive Plan.

The applicant's representative testified that the proposed additional use of contractor's office will decrease the number of daily vehicular trips by 642 trips per day.

Proposed zoning conditions include a requirement to provide a masonry wall along the southern boundary of the property and Wood Branch Avenue and to construct the building with a professional office exterior. Windows located along the southern and western sides of the building are required to be kept to a minimum to preserve the privacy of the adjacent residential homes.

The modification is consistent with both the Land Development Code and the Comprehensive Plan.

### RECOMMENDATION

Based on the foregoing, this recommendation is for **APPROVAL** of the Major Modification to Planned Development 06-1980 as indicated by the Findings of Fact and Conclusions of Law stated above subject to the zoning conditions prepared by the Development Services Department.

Sum M. Fine

Susan M. Finch, AICP Land Use Hearing Officer

May 10, 2021

Date



# Hillsborough County City-County Planning Commission

Unincorporated Hillsborough County Rezoning			
<b>Hearing Date:</b> April 19, 2021	Petition: MM 21-0024		
<b>Report Prepared:</b> April 8, 2021	Within the southeast quadrant of East Sligh Avenue and Wood Branch Drive		
Summary Data:			
Comprehensive Plan Finding:	CONSISTENT		
Adopted Future Land Use:	Commercial Mixed Use-12 (12 du/ga; 0.50 FAR)		
Service Area:	Urban		
Community Plan:	East Lake Orient Park		
Modification Request:	Modify an existing Planned Development (PD 06- 1980) to allow for a 6,000 sq. ft. contractor's office and 26,500 sq. ft of an enclosed warehouse totaling 32,500 sq. ft. of non-residential uses		
Parcel Size (Approx.):	4.17 +/- acres		
Street Functional Classification:	Sligh Avenue – <b>Collector</b> Wood Branch Drive – <b>Local</b>		
Locational Criteria:	N/A (Does not apply in CMU-12)		
Evacuation Area:	The subject property is located within Evacuation Zones C and D.		



Plan Hillsborough planner@plancom.org 813 – 272 – 5940 601 E Kennedy Blvd 18<sup>th</sup> floor Tampa, FL, 33602

### <u>Context</u>

- The subject property is located on approximately 4.17 acres within the southeast quadrant of East Sligh Avenue and Wood Branch Drive intersection. The subject property is located in the Urban Service Area (USA). It falls within the limits of the East Lake Orient Park Community Plan.
- The site has a Future Land Use designation of Commercial Mixed Use-12 (CMU-12) with typical uses of residential, community scale retail commercial, office uses, research corporate park uses, light industrial multi-purpose and clustered residential and/or mixed use projects at appropriate locations. Non-residential land uses must be compatible with residential uses through established techniques of transition or by restricting the location of incompatible uses. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The subject property is surrounded by the Commercial Mixed Use-12 (CMU-12) on all sides.
- The subject property is vacant with Planned Development (PD) zoning. Multi- and single-family, vacant, light industrial, heavy industrial and light commercial properties with Planned Development (PD), Manufacturing (M) and Agricultural Single-Family Conventional-1 (ASC-1) zoning are located to the north across East Sligh Avenue. Vacant lots and a mobile home park lot are located to the east with Commercial Neighborhood (CN) and Planned Development (PD) zoning. A large vacant lot is located to the southeast with Commercial Intensive (CI) zoning. Single-family lots and a public/quasi-public institution lot are located to the west with Residential Single-Family Conventional-6 (RSC-6) zoning. Single-family lots with RSC-6 zoning are located to the south.
- The applicant requests to modify an existing Planned Development (PD 06-1980) to allow for a 6,000 sq. ft. contractor's office and 26,500 sq. ft of an enclosed warehouse totaling 32,500 sq. ft. of non-residential uses.

### Compliance with Comprehensive Plan:

The following Goals, Objectives and Policies apply to this rezoning request and are used as a basis for a consistency finding.

### **Future Land Use Element**

### Urban Service Area (USA)

**Objective 1:** Hillsborough County shall pro-actively direct new growth into the urban service area with the goal that at least 80% of all population growth will occur within the USA during the planning horizon of this Plan. Within the Urban Service Area, Hillsborough County will not impede agriculture. Building permit activity and other similar measures will be used to evaluate this objective.

**Policy 1.4:** Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and

architecture. Compatibility does not mean "the same as." Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

### Neighborhood/Community Development

**Objective 16: Neighborhood Protection** The neighborhood is the functional unit of community development. There is a need to protect existing, neighborhoods and communities and those that will emerge in the future. To preserve, protect, and enhance neighborhoods and communities, all new development must conform to the following policies.

**Policy 16.1:** Established and planned neighborhoods and communities shall be protected by restricting incompatible land uses through mechanisms such as:

- a) locational criteria for the placement of non-residential uses as identified in this Plan,
- *b) limiting commercial development in residential land use categories to neighborhood scale;*
- c) requiring buffer areas and screening devices between unlike land uses;

**Policy 16.2:** Gradual transitions of intensities between different land uses shall be provided for as new development is proposed and approved, through the use of professional site planning, buffering and screening techniques and control of specific land uses.

**Policy 16.3:** Development and redevelopment shall be integrated with the adjacent land uses through:

- a) the creation of like uses; or
- b) creation of complementary uses; or
- c) mitigation of adverse impacts; and
- d) transportation/pedestrian connections

**Policy 16.5:** Development of higher intensity non-residential land uses that are adjacent to established neighborhoods shall be restricted to collectors and arterials and to locations external to established and developing neighborhoods.

**Objective 22:** To avoid strip commercial development, locational criteria for neighborhood serving commercial uses shall be implemented to scale new commercial development consistent with the character of the areas and to the availability of public facilities and the market.

**Policy 22.1:** The locational criteria for neighborhood serving non-residential uses in specified land uses categories will:

- provide a means of ensuring appropriate neighborhood serving commercial development without requiring that all neighborhood commercial sites be designated on the Future Land Use Map;
- establish a maximum square footage for each proposed neighborhood serving commercial intersection node to ensure that the scale of neighborhood serving commercial development defined as convenience, neighborhood, and general types of commercial uses, is generally consistent with surrounding residential character; and
- establish maximum frontages for neighborhood serving commercial uses at intersections ensuring that adequate access exists or can be provided.

**Policy 22.7:** Neighborhood commercial activities that serve the daily needs of residents in areas designated for residential development in the Future Land Use Element shall be considered provided that these activities are compatible with surrounding existing and planned residential development and are developed in accordance with applicable development regulations, including phasing to coincide with long range transportation improvements.

The locational criteria outlined in Policy 22.2 are not the only factors to be considered for approval of a neighborhood commercial or office use in a proposed activity center. Considerations involving land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of effected roadways and other policies of the Comprehensive Plan and zoning regulations would carry more weight than the locational criteria in the approval of the potential neighborhood commercial use in an activity center. The locational criteria would only designate locations that could be considered, and they in no way guarantee the approval of a particular neighborhood commercial or office use in a possible activity center.

### **Community Design Component**

### 5.0 Neighborhood Level Design

### 5.1 COMPATIBILITY

**GOAL 12:** Design neighborhoods which are related to the predominant character of the surroundings.

**Policy 12-1.4:** Compatibility may be achieved through the utilization of site design techniques including but not limited to transitions in uses, buffering, setbacks, open space and graduated height restrictions, to affect elements such as height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture.

### **Conservation and Aquifer Recharge Element**

### Wetlands and Floodplain Resources

**Objective 4:** The County shall continue to apply a comprehensive planning-based approach to the protection of wetland ecosystems assuring no net loss of ecological values provided by the functions performed by wetlands and other surface waters authorized for projects in Hillsborough County, consistent with the Uniform Mitigation Assessment Method. The County shall work with the Environmental Protection Commission, the Southwest Florida Water Management District, the Florida Department of Environmental Protection, and the Tampa Bay Estuary Program to achieve a measurable annual increase in ecological values provided by the functions performed by wetlands and other surface waters. It shall be the County's intent to maintain optimum wetland functions as well as acreage.

**Policy 4.1:** The County shall, through the land use planning and development review processes, and in cooperation with the Environmental Protection Commission, continue to conserve and protect wetlands from detrimental physical and hydrological alteration.

**Policy 4.3:** The County shall, through the land planning and development review processes, and in cooperation with the Environmental Protection Commission, continue to prohibit unmitigated encroachment into wetlands.

**Policy 4.12:** Priority shall be given to avoiding the disturbance of wetlands in the County and to encourage their use only for purposes which are compatible with their natural functions and environmental benefits.

**Policy 4.13:** Development which impacts wetlands may be deemed appropriate only as a last resort; where:

- 1. reasonable use of the property is otherwise unavailable and/or onsite preservation of a functioning wetland system is deemed unsustainable;
- 2. the adverse impact is offset by the benefit of the development to the public such that it is reasonable, in the public interest and an acceptable mitigation plan is proposed.

This determination shall be made by Hillsborough County and/or the Environmental Protection Commission of Hillsborough County.

**Policy 4.14**: The development review process, part of a comprehensive program for the protection of wetlands, shall make every effort to maintain natural undisturbed wetlands by way of a sequential review process that first evaluates all means of avoiding wetland impacts in regard to a particular project; if necessary, secondly, evaluates and requires measures to minimize wetland impacts; and if necessary, thirdly, evaluates and requires the mitigation of wetland impacts.

**Objective 5:** The County shall continue to prevent net loss of 100-year floodplain storage volume in Hillsborough County. The County shall continue to protect and conserve natural wildlife habitat attributes where they exist within the 100-year floodplains of major rivers and streams.

### Livable Communities Element: East Lake Orient Park Community Plan

### Introduction

The East Lake-Orient Park Community Plan area lies in unincorporated Hillsborough County adjacent to the City of Temple Terrace and the City of Tampa. The community is comprised of urban, suburban, and rural residences, commercial corridors, and industrial uses. Portions of major corridors within the Plan area include I-4, I-75, US 92, and US 301 Highways. Major water features include the Hillsborough River, the Tampa By-Pass Canal, East Lake, and the Harney Flats wetlands. Major regional attractions include the Hard Rock Hotel and Casino, the Florida State Fairgrounds, the Ford Amphitheater, the Vandenberg Airport, NetPark Office Park, and Eureka Springs Park. Busch Gardens and the University of South Florida are neighbors to this community.

### Community Plan Boundaries

The East Lake-Orient Park Community Plan area generally is bounded on the north by Fowler Avenue, on the east by I-75, on the south by Columbus Drive and Broadway Avenue, and on the west by the corporate boundaries of the Cities of Tampa and Temple Terrace.

#### Vision

The East Lake-Orient Park Community Plan includes a number of vastly diverse communities that provide a variety of residential lifestyles, from highly-urbanized to suburban to rural. Residents are able to choose which intensity of development is most suitable for their needs. Our residential streets are quiet safe and suitable for all lifestyles.

New development in our communities does not adversely impact the existing neighborhoods. Residents are actively involved in the development decision making process. Developers meet with community representatives in advance of land use decisions. Commercial activities are compatible with and designed to serve the community.

Amenities, such as parks, libraries, public safety facilities, and shopping are accessible to and adequate for the needs of all residents. Public infrastructure is properly maintained and updated.

#### Goals

To ensure the implementation of the plan formulated by the residents of the East Lake-Orient Park community, the following goals and strategies will guide future growth and redevelopment within its boundaries. The plan's vision is supported by the following eight goals with accompanying strategies (all listed in priority order):

<u>Community Improvement</u> – Enhance the appearance of the East Lake-Orient Park community.

- Increase code enforcement activity in order to improve community appearance, eliminate trash and loud noises. Target areas for increased code enforcement should commence in area north of Columbus Drive, east of Kenly Elementary School, south of Martin Luther King, Jr. Boulevard, and west of the Tampa By-Pass Canal.
- Future subdivisions should have Home Owner Associations registered with the County to facilitate resident communication and to maintain subdivision infrastructure.
- Required roadway improvements shall be designed and built consistent with the Livable Roadway Guidelines.
- Flooding is a recurrent problem throughout the community especially the area along Harney Road north of Hillsborough Avenue. Implement master storm water plans to correct flooding problems including erosion and silt control. It is desired that storm water standards be updated and that extra focus be given to storm water designs on new development.

<u>Public Safety</u> – Create a safer environment for the East Lake-Orient Park Community.

- Target areas for crime sweeps, encourage a minimum of two times a year.
- Neighborhood Watch and Certification Programs are important to maintaining public safety. Encourage community awareness and participation in these programs and other community supported safety programs.

- Encourage adequate street lighting throughout the community by supporting the creation of special lighting districts. Target Dale Rey Estates on 50<sup>th</sup> Street and the area adjacent to 53<sup>rd</sup> Street and Sligh Avenue as priority areas.
- Increase hurricane shelter capacity and the provision for special needs shelters to serve the community. The plan area has no hurricane shelters within its boundaries. The area borders the Tampa Bypass Canal and Hillsborough River which are prone to flooding in hurricane events.

<u>Neighborhood Identity</u> – Promote development that recognizes the needs and distinct identities of the East Lake-Orient Park neighborhoods and enhances the quality of life.

- Assist neighborhood groups to establish and maintain associations.
- Establish and register an Alliance of neighborhood organizations to represent the diverse needs of the community.
- As required by the Land Development Code, notice of pending rezoning proposals shall be given to registered neighborhood organizations within the affected area of the East Lake-Orient Park Community Plan boundary. Upon request of the notified organization, the project developer shall meet with said organization to ensure consistency of the proposal with the community's plan.
- Preserve the rural character (R-1) of the Eureka Springs area.
- Preserve existing single family residential (R-6) and allow no further expansion of Residential

   20 (R-20) in the area west of North 56<sup>th</sup> Street to the City of Tampa and north of Hanna Avenue to the City of Temple Terrace as indicated on the East Lake-Orient Park Community
   Plan Preferred Elements Map.
- Prepare guidelines to allow community entry signs for East Lake-Orient Park.

<u>Transportation</u> – Ensure a balanced transportation system that reflects the community's character and provides for options including walking, bicycling and transit.

• Seek additional mass transit routes, improved frequency of service and providing additional stops within the community as necessary to properly serve the area. Additional service is desired on Sligh Avenue east of Orient Road to US 301 and south along US 301 to Breckenridge with connection to the NetPark Transfer Station.

New development should include pedestrian and bicycle access.

- In addition to the improvements identified in the Long Range Transportation Plan, the community desires the following improvements listed in order of priority:
  - 1. Provide improvements to the intersection of East Hillsborough Avenue and Orient Road.
  - 2. Improve Harney Road from MLK Boulevard to US 301 as a four-lane enhanced roadway.
  - 3. Improve Falkenburg Road from MLK Boulevard to US 92 as a four-lane enhanced roadway.

- 4. Improve US 92 from I-4 at Tampa By-Pass Canal to I-75 as a four-lane enhanced roadway.
- 5. Improve Orient Road from Sligh Avenue to Columbus Drive as a four-lane enhanced roadway with bike lanes.
- 6. Improve Sligh Avenue from 56<sup>th</sup> Street to US 301 as a four-lane enhanced roadway with bike lanes.

<u>Parks, Recreation, and Natural Resources</u> – Protect and enhance East Lake-Orient Park's natural environment.

- Expand and maintain recreational programs and activities especially for youth and seniors, such as after school and non-school day programs for youth when feasible.
- Wetlands shall be protected to the fullest extent of the law.
- Seek new park and recreation facilities in conjunction with the approval of new residential development.
- The Hillsborough River and the Tampa By-Pass Canal are key community assets that should be enjoyed by all. Public access should be maintained in all new developments adjacent to these resources.
- The Hillsborough County Greenways Master Plan within the East Lake-Orient Park Community is strongly supported. The Community has identified the following desired recreational corridors listed in order of priority:
  - 1. Connection of the Tampa Bypass Canal Trail with the Old Fort King Trail
  - 2. New trail system from All People's Life Center to Tampa Bypass Canal Trail
  - 3. Completion of the Tampa Bypass Canal Trail along portions of the Canal

<u>Economic Development</u> – Provide opportunities for business growth and jobs in the East Lake-Orient Park community.

- Establish higher density mixed use employment/activity center as identified along Harney Road adjacent to Davis Road and US 301.
- Establish design guidelines and protection of adjacent residential uses prior to granting higher densities in mixed use employment/activity centers.
- Business uses are encouraged along US 301 from the Tampa By-Pass Canal to Hillsborough Avenue. Appropriate land use and zoning changes should be allowed to accomplish this strategy.
- Create a commercial redevelopment area along 56<sup>th</sup> Street from the Temple Terrace boundary to Harney Road and along Hillsborough Avenue from 56<sup>th</sup> Street to Orient Road.
- Existing industrial uses and employment should be preserved and protected.
- Create a commercial/mixed-use district along Orient Road from Hillsborough Avenue to Columbus Drive.

#### Housing – Create housing opportunities.

- East Lake-Orient Park is experiencing problems with poorly managed apartment complexes and rental properties. East Lake-Orient Park seeks annual inspections of rental units for compliance with the health and housing codes.
- New residential developments that provide home ownership are preferred.
- Support affordable housing opportunities that accommodate a diverse population and income levels and promote home ownership.
- Create a neighborhood redevelopment and rehabilitation program to revitalize the area south of US 92 in the vicinity of Falkenburg Road.
- Evaluate land uses along Orient Road to allow higher density quality residential dwelling units.

Education – Improve educational opportunities.

- After school programs are desired to involve youth in constructive activities.
- Co-location of schools, parks, libraries and/or fire stations and sheriff substations are highly desired with new construction or expansion of public facilities.

### Staff Analysis of Goals, Objectives, and Policies:

The subject property is located on approximately 4.17 acres within the southeast quadrant of East Sligh Avenue and Wood Branch Drive intersection. The subject property is located in the Urban Service Area (USA). It falls within the limits of the East Lake Orient Park Community Plan. The applicant requests to modify an existing Planned Development (PD 06-1980) to allow for a 6,000 sq. ft. contractor's office and 26,500 sq. ft of an enclosed warehouse totaling 32,500 sq. ft. of commercial uses.

The Future Land Use designation of the subject site is Community Mixed Use-12 (CMU-12). Typical allowable uses in the CMU-12 Future Land Use designation include residential, community-scale retail commercial, office uses, research corporate park uses, light industrial multi-purpose and clustered residential and/or mixed-use projects. The proposed development is consistent with the CMU-12 Future Land Use category.

The CMU-12 Future Land Use category allows for an intensity of up to 0.50 Floor Area Ratio (FAR) for any single or mixed-use. Wetlands are located on the subject property but do not comprise 25% or more of the subject site. The maximum overall allowable square footage on site is 90, 822 sq. ft. (43,560 sq. ft. x 4.17 x 0.50 FAR) per the CMU-12 Future Land Use category. The applicant is requesting a total of 32,500 sq. ft. of non-residential uses. The requested square footage is well below what can be considered for the site.

The subject property is surrounded by single-family lots to the west and south. A mobile home park is located to the east. In order to mitigate for nearby residential development, the site plan proposes landscape buffers and a 6-foot buffer wall along the northwestern and western perimeters of the property boundary. A retention pond, landscape buffer and

6-foot buffer wall are proposed along the southern border as well which is immediately adjacent to single-family residential lots. A TECO easement and ditch are currently located to the east. A landscape buffer is proposed along the subject property's eastern boundary. Buffering and screening provides a gradual transition through site planning to adjacent residential development. The site plan provides for an access onto East Sligh Avenue, a collector. The development is not proposing an access onto Wood Branch Drive, a local roadway. The application fulfills the intent of Objective 16 and Policies 16.1, 16.2, 16.3 and 16.5.

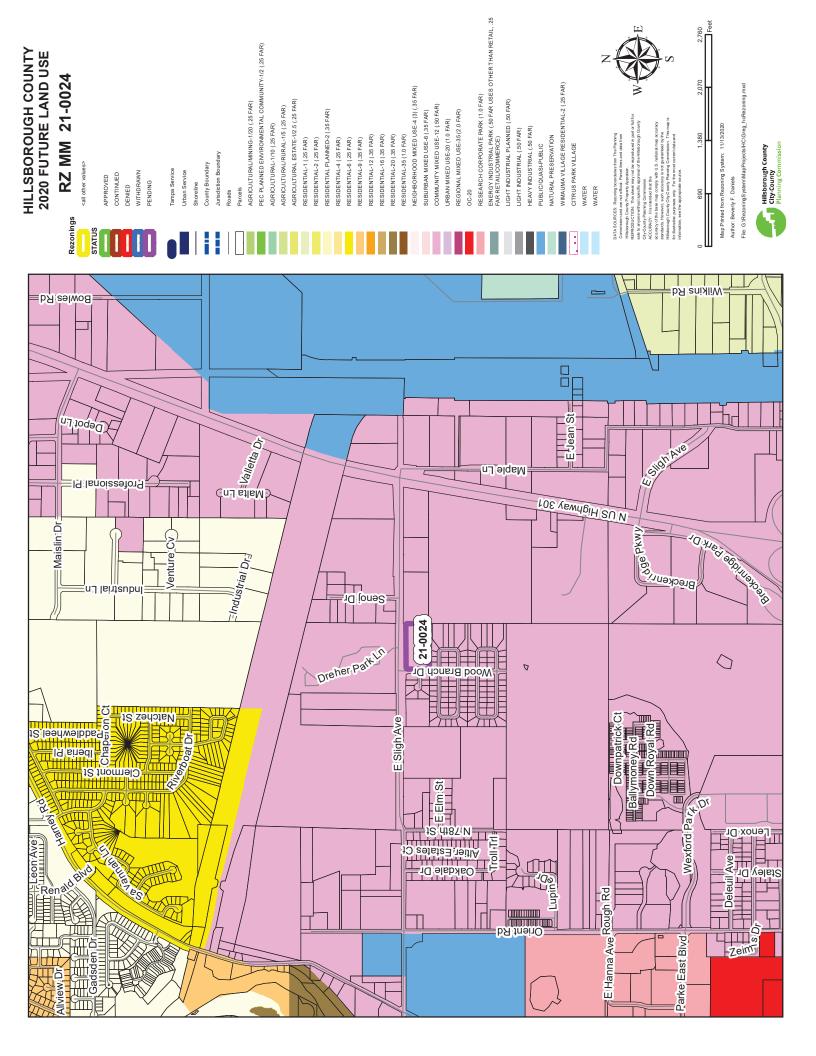
The subject property is located within the limits of the East Lake Orient Park Community Plan. The Community Plan seeks to promote and provide opportunities for business growth and jobs in the East Lake Orient Park community. The proposed contractor's office with warehousing provides employment and economic growth opportunities within the limits of the Community Plan. The request is consistent with the vision of the East Lake Orient Park Community Plan.

There are wetlands present on the property. The Environmental Protection Commission (EPC) Wetlands Division has reviewed the proposed rezoning. Planning Commission staff was informed by Hillsborough County Development Services staff that the EPC has determined a resubmittal is not necessary due to the wetlands on the property qualifying for a noticed exemption. Planning Commission staff finds this request consistent given that there is a separate approval process for wetland impacts with the Environmental Protection Commission.

Overall, the proposed modification would allow for the development of the subject property in a manner that is consistent with the Goals, Objectives and Policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*. The request is also consistent with the vison of the East Lake Orient Park Community Plan.

### **Recommendation**

Based upon the above considerations, Planning Commission staff finds the proposed Major Modification **CONSISTENT** with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, subject to conditions proposed by the Department of Development Services.



# GENERAL SITE PLAN FOR CERTIFICATION



**DEVELOPMENT SERVICES** PO Box 1110, Tampa, FL 33601-1110

### HILLSBOROUGH COUNTY DEVELOPMENT SERVICES DEPARTMENT

**GENERAL SITE PLAN REVIEW/CERTIFICATION** 

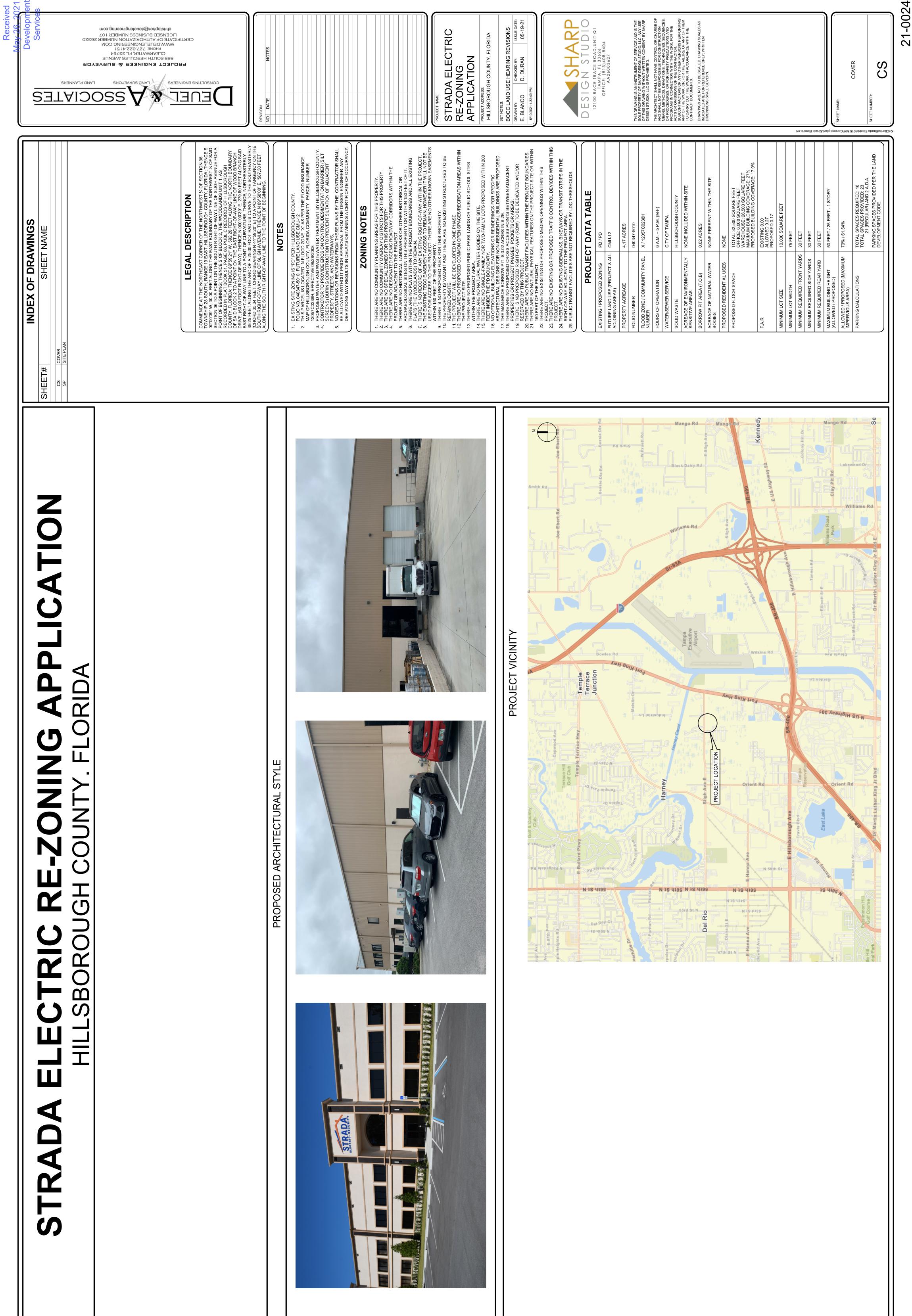
BOARD OF COUNTY COMMISSIONERS Harry Cohen Ken Hagan Pat Kemp Gwendolyn "Gwen" Myers Kimberly Overman Mariella Smith Stacy R. White COUNTY ADMINISTRATOR Bonnie M. Wise COUNTY ATTORNEY Christine M. Beck INTERNAL AUDITOR Peggy Caskey

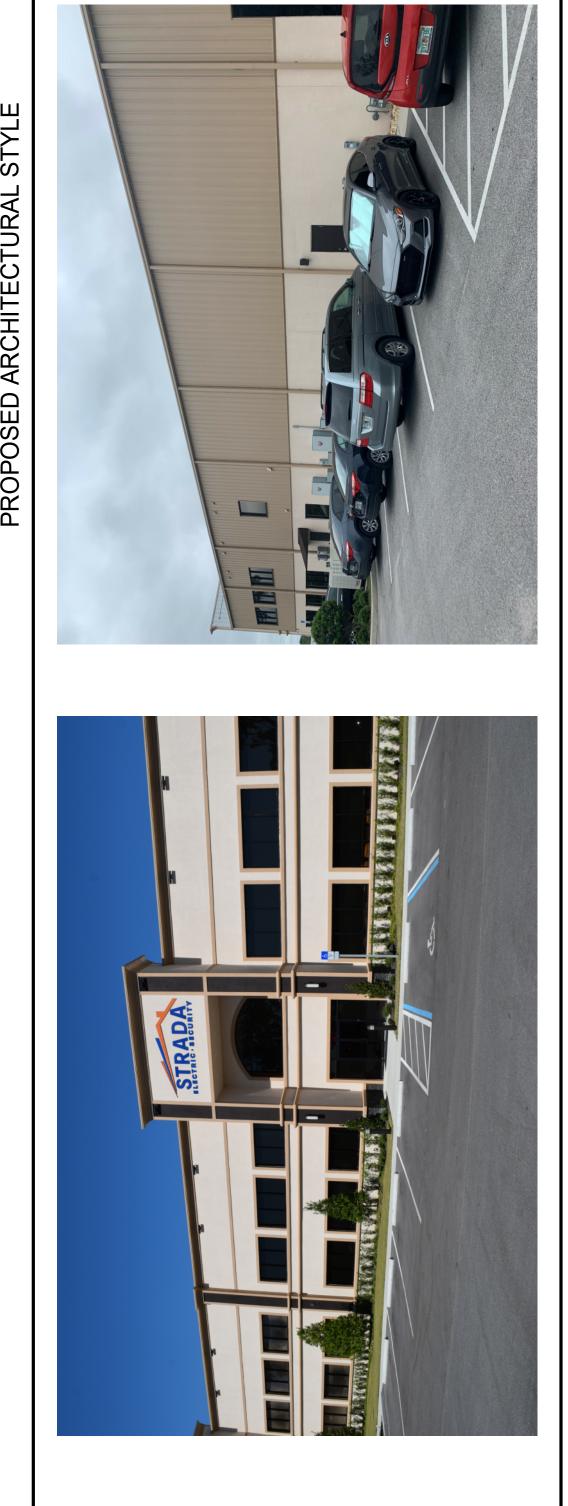
DEPUTY COUNTY ADMINISTRATOR Lucia E. Garsys

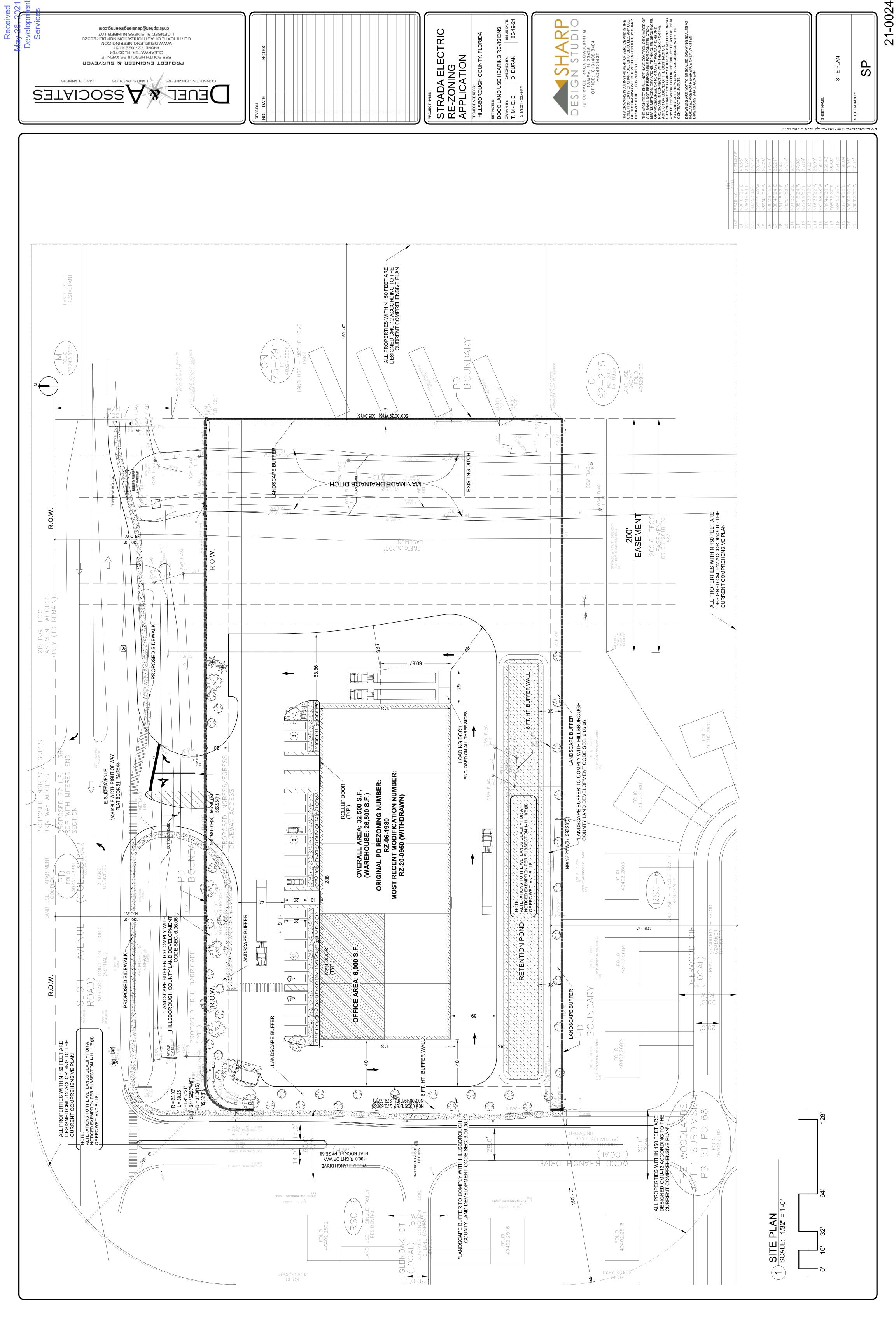
Pro	ject Name:		
Zor	ning File:	Modification:	
Atla	as Page:	Submitted:	
То	Planner for Review:	_ Date Due:	
Cor	ntact Person:	Phone:	
Rig	sht-Of-Way or Land Required for	r Dedication: Yes No	
()	The Development Services Depart	ment HAS NO OBJECTION to this General Site Plan.	
()	The Development Services Depart following reasons:	ment RECOMMENDS DISAPPROVAL of this General Site Plan for th	e

Reviewed by:\_\_\_\_\_ Date:\_\_\_\_\_

Date Agent/Owner notified of Disapproval:\_\_\_\_\_







# AGENCY COMMNENTS

#### AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services DepartmentDATE: 04/12/2021REVIEWER: James Ratliff, AICP, PTP, Principal PlannerAGENCY/DEPT: TransportationPLANNING AREA/SECTOR: ELOP/ CentralPETITION NO: MM 21-0024

This agency has no comments.

This agency has no objection.

This agency has no objection, subject to listed or attached conditions.

Х

This agency objects, based on the listed or attached conditions.

### **REPORT HIGHLIGHTS AND CONCLUSIONS**

- The proposed zoning modification is anticipated to decrease (by 642 average daily trips, 24 AM peak hour trips, and 33 PM peak hour trips) the maximum trip generation potential of the subject site at buildout.
- Vehicular access to the project will be restricted to Sligh Ave. and shall align with Emery Mill Dr.
- Staff has proposed modifications to existing approved zoning conditions changes to comport with current practice and/or to reflect changes in development requirements due to the applicant's proposed zoning modification.
- Transportation Review Section staff has no objection to this request, subject to the revised conditions provided herein below.

#### **REVISED CONDITIONS OF APPROVAL**

6. The general design, number and location of the access point(s) shall be regulated by the Hillsborough County Access Management regulations as found in the Land Development Code (Land Development Code Section 6.04). The design and construction of curb cuts are subject to approval by the Hillsborough County Planning and Growth Management Department. Final design, if approved by Hillsborough County Planning and Growth Management Department may include, but is not limited too: left turn lanes, acceleration lane(s) and deceleration lane(s). Access points may be restricted in movements. The project shall be permitted one (1) vehicular access connection to Sligh Ave., which shall align with Emery Mill Dr. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundaries.

[Transportation Review Section staff recommends modification of this condition to comport with

current practice. By its nature, a PD is a site plan-controlled zoning district and the number and location of access points are governed by the PD site plan and conditions of approval].

7. Prior to Concurrency approval, the Developer shall provide a traffic analysis, signed by a Professional Engineer, showing the length of the left and right turn lanes needed to serve development traffic at the project driveway(s) and at impacted intersections. If it is determined by the results of the analysis submitted by the developer, that adequate right of way does not exist to construct any needed improvements (i.e. turn lanes), then the developer shall re-submit an analysis showing the maximum development that could occur to still enable the needed improvements to be constructed. The development will be limited to the size as shown in the submitted analysis.

[Staff recommends deletion of this condition, as it was based upon Hillsborough County's former system for the evaluation and mitigation of transportation impacts, i.e. transportation concurrency. Given Florida House Bill 7202 (2011), §163.3180 (Florida Statutes), and Section 40-68, et seq. (Hillsborough County Code of Ordinances), this condition is no longer enforceable. Additionally, the applicant submitted the transportation analysis required by the DRPM, and it was determined that turn lanes for the proposed use are not warranted pursuant to Section 6.04.04.D. of the LDC].

8. Based on the projected trip generation to the site, access onto the public road would be via "Type II", Minor Roadway Connection (50 – 1500 trip ends per day), LDC 6.04.01.E.. Accordingly, the Land Development Code requires (see LDC 6.04.03 G) that all internal access (the "throat") to the driveways must be a minimum of 50 feet from the edge of pavement of the public roadway, and shall remain free of internal connections or parking spaces which might interfere with the movement of vehicles into or out of the site. The applicant has the option of submitting an analysis showing that for his particular site, a throat of less than 50 feet is appropriate and will result in no adverse impact to the public roadway system. If the Driveway is to be gated, then the throat depth may exceed 50 feet in length to accommodate stacking vehicles.

[*Transportation Review Section staff recommends modification of this condition to comport with current practice. The project will be required to comply with minimum throat depth standards as found within the LDC at the time of plat/site/construction plan review*].

9. The developer shall construct a left turn lane into the site. Pending the results of the transportation analysis, other improvements may include building/extending turn lanes at the adjacent intersection. If it is determined by the results of the analysis submitted by the developer, that adequate right of way does not exist to construct any needed improvements (i.e. turn lanes), then the developer shall re-submit an analysis showing the maximum development that could occur to still enable the needed improvements to be constructed. The development will be limited to the size as shown in the submitted analysis.

9.1 The developer shall financially support the intersection improvements at Orient Road and Sligh Avenue, the amount to be determined at site development review.

[Staff recommends deletion of this condition, as it was based upon Hillsborough County's former system for the evaluation and mitigation of transportation impacts, i.e. transportation concurrency. Given Florida House Bill 7202 (2011), §163.3180 (Florida Statutes), and Section 40-68, et seq. (Hillsborough County Code of Ordinances), this condition is no longer enforceable. Additionally, the applicant submitted the transportation analysis required per the *DRPM, and it was determined that turn lanes for the proposed use are not warranted pursuant to Section 6.04.04.D. of the LDC].* 

10. The applicant shall be required to pave any portion of the access drive which lies within the existing right-of-way (LDC 6.04.05).

[Transportation Review Section staff recommends modification of this condition to comport with current practice. The project will be required to comply with all applicable Land Development Code and Transportation Technical Manual regulations in effect at the time of plat/site/construction plan review.]

11. As is noted in the Land Development Code, one of the major reasons for diminished capacity of public roads is an increase in access points along roadways which increases the potential conflict points. Because of this, the applicant shall show the ability to provide cross access to adjacent parcels of like land uses. If any of the adjacent properties are developed under the same developer/owner, then cross access must be provided. All cross access shall be in accordance with the Hillsborough County Land Development Code Section 6.04.03 Q.

[Transportation Review Section staff recommends modification of this condition to comport with current practice. There are no opportunities for cross access. Additionally, none are required pursuant to Section 6.04.03.Q of the LDC.]

12. If required to meet Concurrency, at a minimum, the Developer shall provide a traffic analysis, signed by a Professional Engineer, showing the types of improvements needed to serve background plus development traffic. The developer shall be responsible for any construction needed to off-set the impacts from the development.

[Staff recommends deletion of this condition, as it was based upon Hillsborough County's former system for the evaluation and mitigation of transportation impacts, i.e. transportation concurrency. Given Florida House Bill 7202 (2011), §163.3180 (Florida Statutes), and Section 40-68, et seq. (Hillsborough County Code of Ordinances), this condition is no longer enforceable.]

13. The Developer shall construct sidewalks within the right-of-way along all roadways adjacent to the property boundaries and along both sides of all internal roadways. The sidewalks shall be a minimum width of five (5) feet. Pedestrian interconnectivity shall be provided between uses and adjacent parcels.

[Transportation Review Section staff recommends modification of this condition to comport with current practice. Sidewalks, as generally shown on the PD site plan, will be required at the time of plat/site/construction plan review in accordance with the requirements of the LDC, particularly Sections 6.02.08 and 6.03.02 of the LDC.]

14. The applicant shall provide internal access to any existing or future out parcels on the site (LDC 5.03.05 H).

[Transportation Review Section staff recommends modification of this condition to comport with current practice. No outparcels are proposed. Changes to the site layout such that outparcels could be included would require a modification to this PD.]

15. Prior to the issuance of certificates of occupancy, the applicant shall improve/widen Sligh Avenue adjacent to the site to County standards. As Sligh Ave. is a substandard collector roadway, the developer will be required to improve Sligh Ave., between the project entrance and nearest standard portion of Sligh Ave. (i.e. +/- 650 feet east of the subject site) to current County standards for a TS-7 collector roadway as found within the Hillsborough County Transportation Technical Manual (TTM).

[Transportation Review Section staff recommends modification of this condition to comport with current practice. The developer will be required to ensure Sligh Ave., between the project driveway and portion of Sligh Ave. which meets standards, is widened such that the travel lanes are 12-feet in width and there are 8-foot wide shoulders, of which 5-feet is paved.]

#### PROJECT OVERVIEW AND ANALYSIS

The applicant is requesting a Major Modification (MM) to approved Planned Development (PD) #06-1980, which consists of one parcel totaling +/- 4.17 ac. The existing PD is approved for up to 28,000 s.f. of medical office uses. The applicant is requesting to modify the PD to permit up to 32,500 s.f. of specialty contractors offices (without outside storage).

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation and site access analysis to support the proposed zoning modification. Utilizing data from the Institute of Transportation Engineer's <u>Trip Generation Manual</u>, 10th Edition, staff has prepared a comparison of the trips generated by development under the existing approvals and proposed modifications, utilizing a generalized worst-case scenario.

#### **Approved Uses:**

Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
Land Use/Size	Way Volume	AM	PM
PD #06-1980, 28,000 s.f. medical office uses (ITE LUC 720)	974	78	97

#### **Proposed Uses:**

Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume	AM	PM
PD #21-0024, 32,500 s.f. specialty trade	332	54	64
contractor (ITE LUC 220)			

#### **Trip Generation Difference:**

Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
Land Use/Size	Way Volume	AM	РМ
Difference	(-) 642	(-) 24	(-) 33

### TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

E. Sligh Ave. is a 2-lane, undivided, substandard collector roadway characterized by +/- 11 to 12-foot wide travel lanes in average condition. Along the project's frontage, the roadway lies within a +/- 130-foot wide right-of-way. There are paved shoulders of varying widths in the vicinity of the proposed project. There are +/- 5-foot wide sidewalks along portions of the north and south side of E. Sligh Ave. in the vicinity of the proposed project; however, there are 5-foot wide paved shoulders along a portion of E. Sligh Ave. east of the subject site which serve to accommodate bicycles.

In the vicinity of the proposed project, E. Sligh Ave. is shown on the Hillsborough Corridor Preservation Plan as a future 2-lane enhanced roadway. Although there is no typical section for 2-lane enhanced roadways, the minimum right-of-way necessary is calculated by taking the typical section for a 2-lane urban, undivided, collector roadway (TS-4 within the Hillsborough County Transportation Technical Manual), which requires a minimum of 64-feet, and adding an additional 12 feet for enhancements (for a total of 76 feet of right-of-way required). Given there is +/- 130 feet of right-of-way available along the project's frontage, no right-of-way preservation is required.

#### SITE ACCESS AND CONNECTIVITY

SLIGH AVE.

Vehicular access to the project will be from Sligh Ave. As a part of this zoning modification, the applicant is shifting the proposed access such that it aligns with Emery Mill Dr. Given the volume of trips generated, only one vehicular access is required to serve the project pursuant to Section 6.04.03.I. of the LDC. Additional access to Wood Brand Dr., a local roadway running along the project's western boundary, was not supported by County and Planning Commission staffs, in order to maintain the integrity of the 6-foot high buffer wall proposed between this development and the residential uses to the west.

US HWY 301

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## FDOT Generalized Level of Service Roadway From To LOS Standard Peak Hour Peak Directional LOS

#### **ROADWAY LEVEL OF SERVICE (LOS) INFORMATION**

Source: 2019 Hillsborough County Level of Service (LOS) Report

ORIENT RD.

#### COMMISSION

Mariella Smith CHAIR Pat Kemp VICE-CHAIR Harry Cohen Ken Hagan Gwendolyn "Gwen" W. Myers Kimberly Overman Stacy White



#### DIRECTORS

Janet L. Dougherty EXECUTIVE DIRECTOR Hooshang Boostani, P.E. WASTE DIVISION Elaine S. DeLeeuw ADMIN DIVISION Sam Elrabi, P.E. WATER DIVISION Rick Muratti, Esq. LEGAL DEPT Andy Schipfer, P.E. WETLANDS DIVISION Sterlin Woodard, P.E. AIR DIVISION

#### AGENCY COMMENT SHEET

REZO	NING	
HEARING DATE: 1/19/2021	<b>COMMENT DATE:</b> 4/8/2021	
112/11/10/DATE: 1/17/2021		
<b>PETITION NO.:</b> 21-0024	<b>PROPERTY ADDRESS:</b> 8185 E Sligh Ave, Tampa, FL 33610	
EPC REVIEWER: Melissa Yanez		
	FOLIO #: 0403475010	
CONTACT INFORMATION: (813) 627-2600		
X1360	<b>STR:</b> 36-28S-19E	
EMAIL: yanezm@epchc.org		
REQUESTED ZONING: PD		
FIND	INGS	
WETLANDS PRESENT	YES	
SITE INSPECTION DATE	3/24/2021	
WETLAND LINE VALIDITY	VALID TO 4/6/2026	
WETLANDS VERIFICATION (AERIAL PHOTO, Wetlands located South Central of parcel and		
SOILS SURVEY, EPC FILES) North of the Northern boundary		
The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the		
following conditions are included:		
<ul> <li>Approval of this zoning petition by Hillsborous Environmental Protection Commission of Hills necessary for the development as proposed will</li> </ul>		

• The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.

impact to wetlands, and does not grant any implied or vested right to environmental approvals.

Environmental Excellence in a Changing World

REZ 21-0024 4/8/2021 Page **2** of **2** 

- Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
- Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.

#### INFORMATIONAL COMMENTS:

The following specific comments are made for informational purposes only and to provide guidance as to the EPC review process. However, future EPC staff review is not limited to the following, regardless of the obviousness of the concern as raised by the general site plan and EPC staff may identify other legitimate concerns at any time prior to final project approval.

- Chapter 1-11, prohibits wetland impacts unless they are necessary for reasonable use of the property. Staff of the EPC recommends that this requirement be taken into account during the earliest stages of site design so that wetland impacts are avoided or minimized to the greatest extent possible. The size, location, and configuration of the wetlands may result in requirements to reduce or reconfigure the improvements depicted on the plan.
- The Hillsborough County Land Development Code (LDC) defines wetlands and other surface waters as Environmentally Sensitive Areas. Pursuant to the LDC, wetlands and other surface waters are further defined as Conservation Areas or Preservation Areas and these areas must be designated as such on all development plans and plats. A minimum setback must be maintained around the Conservation/Preservation Area and the setback line must also be shown on all future plan submittals.
- Any activity interfering with the integrity of wetland(s) or other surface water(s), such as clearing, excavating, draining or filling, without written authorization from the Executive Director of the EPC or authorized agent, pursuant to Section 1-11.07, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and of Chapter 1-11.

my/mst

From:	Rome, Ashley
То:	<u>Timoteo, Rosalina</u>
Subject:	FW: MM 21-0024
Date:	Thursday, April 1, 2021 3:45:27 PM
Attachments:	image002.png image004.png

Good afternoon Rosa,

We received the below email in response to an agency transmittal for 21-0024. Melissa did reach out and I briefly spoke to her and agreed Stephen was the best person to contact regarding this, but also that I would check with you as a senior hearing tech whether we'd want to archive the below into Optix to begin having a record of Teco's notes regarding this application.

Thank you,

Ashley Rome Planning & Zoning Technician Development Services Dept.

P: (813) 272-5595 E: <u>romea@hillsboroughcounty.org</u> W: <u>HCFLGov.net</u>

#### Hillsborough County 601 E. Kennedy Blvd., Tampa, FL 33602

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Please note: All correspondence to or from this office is subject to Florida's Public Records law.

From: Douglas, Melissa E. <medouglas@tecoenergy.com>
Sent: Thursday, April 1, 2021 12:41 PM
To: Beachy, Stephen <BeachyS@hillsboroughcounty.org>
Cc: Rome, Ashley <RomeA@hillsboroughcounty.org>
Subject: MM 21-0024

[External]

Stephen,

After reviewing the revised plans that were uploaded on 3/30/2021, I wanted to make sure that it was noted that Tampa Electric Company did not have a concern with the proposed truck drive encroachment under the condition that the construction plans are reviewed and approved by Tampa Electric Company.

Sincerely,

#### MELISSA E. DOUGLAS, SR/WA

Real Estate Representative II 702 N Franklin St Tampa, FL 33602 (813) 228-1090



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**NOTE:** THIS IS ONLY FOR ESTIMATE PURPOSES, BASED ON THE FEES AT THE TIME THE REVIEW WAS MADE. ACTUAL FEES WILL BE ASSESSED BASED ON PERMIT APPLICATIONS RECEIVED AND BASED ON THE FEE SCHEDULE AT THE TIME OF BUILDING PERMIT APPLICATION.

TO:	Zoning Review, Development Services	DATE: 01/14/2021
<b>REVIEWER:</b>	Ron Barnes, Impact & Mobility Fee Coordinator	
APPLICANT:	Joseph Strada	<b>PETITION NO: 21-0024</b>
LOCATION:	8185 E Sligh Ave	
FOLIO NO:	40347.5010	

#### **Estimated Fees:**

Warehouse (Per 1,000 s.f.) Mobility: \$877 Fire: \$34

**Project Summary/Description:** 

Urban Mobility, Northeast Fire - Contractor's Office Warehouse

### WATER RESOURCE SERVICES REZONING REVIEW COMMENT SHEET: WATER & WASTEWATER

PETI	FION NO.: MM21-0024REVIEWED BY: Randy RochelleDATE: 12/4/2020		
FOLI	FOLIO NO.: 40347.5010		
	This agency would $\boxtimes$ (support), $\square$ (conditionally support) the proposal.		
	WATER		
	The property lies within the <u>City of Tampa</u> Water Service Area. The applicant should contact the provider to determine the availability of water service.		
	No Hillsborough County water line of adequate capacity is presently available.		
	A inch water main exists 🗌 (adjacent to the site), 🗌 (approximately feet from the site)		
	Water distribution improvements may be needed prior to connection to the County's water system.		
	No CIP water line is planned that may provide service to the proposed development.		
	The nearest CIP water main ( inches), will be located 🗌 (adjacent to the site), 🗌 (feet from the site at). Expected completion date is		
	WASTEWATER		
$\square$	The property lies within the <u>City of Tampa</u> Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.		
	No Hillsborough County wastewater line of adequate capacity is presently available.		
	A inch wastewater main exists 🗌 (adjacent to the site), 🗌 (approximately feet from the site)		
	Wastewater distribution improvements may be needed prior to connection to the County's wastewater system.		
	No CIP wastewater line is planned that may provide service to the proposed development.		
	The nearest CIP wastewater main ( inches), will be located 🗌 (adjacent to the site), 🔲 (feet from the site at). Expected completion date is		
COMM	MENTS: <u>This site is located within the City of Tampa Water and Wastewater Service</u> <u>Area. The applicant should contact the City of Tampa's Water and Wastewater</u> <u>Departments to determine the availability of Water and/or Wastewater Serivce and for</u> <u>their Comments</u> .		

From:	Beachy, Stephen
Sent:	Tuesday, November 24, 2020 5:16 PM
То:	DiegoDuran
Cc:	Grady, Brian
Subject:	MM 21-0024 Sufficiency Review

Mr Duran,

Staff has reviewed the above referenced application submitted on or before the October 23, 2020 filing deadline for the January 19, 2021, Zoning Hearing Master hearing. The application is in compliance with the General Development Plan (GDP) requirements of Section 6.2.1.C.7 of the Development Review Procedures Manual (DRPM), with the exception of the following:

- 1. Pursuant to Section 6.2.C.7.a, (Land Use Information) the names of the developer(s) architect(s), engineer(s) and planner(s) associated with the project should be shown on the General Development Plan.
- 2. Pursuant to Section <u>6.2.C.7 (Land Use Information Outside the Project) a</u>, current comprehensive plan designations of all property with 150 feet of the project boundaries should be identified on the plan.

The information required of Section 6.2.1.C.7 of the DRPM is only the minimum required to review the application. Hillsborough County Development Services has determined that the following additional information will be required to review the application:

3. Please re-submit your narrative to further clarify your request. Based on the title and first paragraph of the narrative provided the application is a Major Modification of the existing PD. In the second paragraph you indicate the request is to rezone to CI. The General Development Plan also indicates the proposed zoning designation is CI.

Please respond with the requested information by December 30, 2020. Information provided after the response date will result in a rescheduling of your anticipated hearing date to the ZHM in February, 2021. We strongly encourage applicants to respond prior to the above noted deadline. Please be advised that an additional DRPM compliance review period of seven business days will be required upon submission of your response. If you have any questions, please contact me at (813)-860.7727 or via e-mail at Beachys@hillsboroughcounty.org.

Sincerely

Steve Beachy, MSP, AICP Planner

Development Services Department Community Development Section

#### P: (813) 276-8342,M: (813) 860-7727, E: <u>BeachyS@HillsboroughCounty.org</u>, W: <u>HCFLGov.net</u> **Hillsborough County** 601 E. Kennedy Blvd., Tampa, FL 33602

Please note: All correspondence to or from this office is subject to Florida's Public Records law.

cc: Brian Grady, Executive Planner, Community Development Department Section

# VERBATIM TRANSCRIPT

X IN RE: ZONE HEARING MASTER HEARINGS X ZONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS BEFORE: SUSAN FINCH Land Use Hearing Master DATE: Monday, April 19, 2021 TIME: Commencing at 6:00 p.m. Concluding at 8:03 p.m. PLACE: Cisco Webex Reported By: Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762 (800) 337-7740		HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS	Page
) ZONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS BEFORE: SUSAN FINCH Land Use Hearing Master DATE: Monday, April 19, 2021 TIME: Commencing at 6:00 p.m. Concluding at 8:03 p.m. PLACE: Cisco Webex Reported By: Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762	IN RE: ZONE HEARING	) )	
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TIME: Commencing at 6:00 p.m. Concluding at 8:03 p.m. PLACE: Cisco Webex Reported By: Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762	BEFORE:		
Concluding at 8:03 p.m. PLACE: Cisco Webex Reported By: Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762	DATE:	Monday, April 19, 2021	
Reported By: Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762	TIME:		
Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762	PLACE:	Cisco Webex	
Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762		Reported By:	
	13	Executive Reporting Service Ulmerton Business Center 3555 Automobile Blvd., Suite 100 Clearwater, FL 33762	

	Page 100
1	HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS
2	ZONING HEARING MASTER HEARINGS
3	April 19, 2021 ZONING HEARING MASTER: SUSAN FINCH
4	
5	D3:
6	Application Number: MM <mark>21-0024</mark>
7	Applicant:Joseph StradaLocation:8185 E. Sligh Ave.Diamondological8182 E. Sligh Ave.
8	Folio Number:040347.5010Acreage:4.17 acres, more or less
9	Comprehensive Plan: CMU-12 Service Area: Urban
10	Existing Zoning: PD (06-1980) Request: Major Modification to a Planned
11	Development
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Executive Reporting Service

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Page 101 MR. GRADY: The next -- the final item is 1 2 agenda D-3, Major Mod Application 21-0024. The 3 applicant is Joseph Strada. 4 The request is to rezone a Major 5 Modification to existing Planned Development. Steve Beachy will provide staff recommendation 6 7 after your presentation by the applicant. 8 I would notice, I handed out the revised staff report with revisions to conditions. 9 Those revisions deal with the revised comments from EPC. 10 So it's incorporated standard EPC -- comments from 11 12 the Environmental Protection Commission. 13 We also modified some of the design 14 requirements regarding the building. I believe the 15 applicant will be submitting a graphic into the 16 record regarding a similar building design they're 17 doing in another area. Same type building they 18 plan to develop here. So we modified the conditions to recognize 19 20 that and require the -- the architectural style of 21 the building to match that graphic and include that 22 graphic on the site plan moving forward. So those 23 are the major --24 Thank you very HEARING MASTER FINCH: Okay. 25 much.

Page 102 1 All right. Good evening. 2 MS. MOSER: Good evening. Taylor Moser and 3 Diego Duran with Sharp Design Studio, 12100 Race 4 Track Road, Tampa, Florida 33626, here on behalf of 5 the applicant, Joe Strada, to request a Major Modification to the existing PD at 8185 East Sligh 6 7 Avenue. And Mr. --8 MR. GRADY: Madam Hearing Officer --9 HEARING MASTER FINCH: Hold on one second. MR. GRADY: -- she's not authorized to 10 speak. So I don't know if the other gentleman 11 12 is -- is he authorized to speak and can he --13 HEARING MASTER FINCH: Are you Mr. Strada? 14 MR. DURAN: Good afternoon. Diego Duran, 15 Sharp Design Studio. I have been authorized. 16 MR. GRADY: That's all we need. We just 17 needed to put on the record that he's authorized to 18 speak. So we're good. 19 HEARING MASTER FINCH: Thank you so much. 20 MR. GRADY: Sorry for the interruption. 21 HEARING MASTER FINCH: Please continue. 22 MS. MOSER: Before I dive in, I would like 23 to express our gratitude to each and every person 24 in Hillsborough County that has helped us through 25 this process.

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We sincerely appreciate all the time and effort it took to make it to today's hearing. And I do have a PowerPoint. Yep. You can go to the next slide.

5 The subject property is 4.7 acres, currently 6 zoned PD for Business Professional Offices, more 7 specifically medical offices. A request is to 8 modify the approved use within the PD from BPO to 9 contractors office without open storage.

10 The current approved site plan has eight, 11 one-story offices for a total of 28,000 square feet 12 with a 153 parking spaces. The proposed site plan 13 submitted has one one-story building composed of 14 6,000 square feet of office space and 26,500 square 15 feet of warehouse for a total of 32,500 square feet 16 and 23 parking spaces.

17 To summarize the requested changes, we have 18 requested that the use be changed to allow for a 19 contractors office without open storage. An 20 overview of the major changes are as follows: 21 Increase the square footage by 4,500 square feet and eliminate 130 parking spaces. Reduce the hours 22 23 of operation from the previously approved 9:00 a.m. 24 to 9:00 p.m., Monday through Friday and 9:00 a.m. 25 to 5:00 p.m. on Saturday to 6:00 a.m. to 5:00 p.m.,

Executive Reporting Service

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## Page 104 Monday through Friday only, and also align the site access with Emery Mill Drive, which was not shown on the site plan when the previous rezoning was approved as it is recently built. The site has never been developed and

5 The site has never been developed and 6 currently sits vacant. To the north there is an 7 apartment complex zoned PD. To the east, there is 8 a mobile home park zoned CN and undeveloped land 9 zoned CI. To the south and west of the property, 10 there are residences within the Woodland 11 subdivision zoned RSC-6.

12 There will not be an inappropriate precedent 13 set by approving this modification. Within half a 14 mile of the property -- four. Within half a mile 15 of the property, there are 11 instances of CI 16 zoning, four instances of Manufacturing zoning, 17 three instances of CN zoning, and three instances 18 of Light Industrial zoning along with residential 19 areas.

20 Changing the use from BPO to contractors 21 office without open storage falls within the 22 existing uses of the area. The property located at 23 8610 East Sligh Avenue about 890 feet from this 24 property, also zoned PD, has 19 semitruck-loading 25 bays. Our proposed site plan has two.

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This modification conforms with the 1 2 Comprehensive Plan in Hillsborough County's Future 3 Land Use designation for the area. The Future Land Use classification is CMU-12 with typical uses 4 5 being residential, community scale retail, commercial, office use, Research Corporate Park 6 7 uses, Light Industrial multipurpose, and cluster residential and/or mixed use projects. 8 The office space portion of the project is 9 clearly listed as a Future Land Use, but when you 10 go to the primary purpose of Light Industrial, the 11 12 purpose is to provide Manufacturing, processing, assembly, warehousing, intensive commercial, and 13 other related uses. 14 15 As warehousing is included in Light 16 Industrial, both the office space and warehouse 17 portions of the project conform with the Comprehensive Plan. 18 19 Furthermore, the proposed building will 20 provide a buffer between the residential areas and 21 the more intense commercial and industrial uses 22 that are present to the east where Sligh Avenue intersects 301. 23 24 Our proposed site plan and building aims to 25 minimize the impacts on the Woodland's neighborhood

Page 106 1 and other residences. The building will not look 2 like what you think of when hear the word "warehouse," but it will resemble the current 3 headquarters of Strada Electric in Sanford, 4 5 Florida, pictured here. The headquarters is larger and two stories, 6 7 but similar architectural features will be utilized in the design phase of the project to give the 8 building an overall office feel. 9 There will be no outdoor storage on the 10 11 property, and all materials will be contained in 12 the warehouse and will not be seen by drivers or 13 pedestrians passing the property. The residences the south and west will have 14 15 a large landscape buffer consisting of landscaping 16 and a 6-foot-high wall that meets the requirements 17 of the Land Development Code. An additional buffer 18 has been added to the north of the property along 19 East Sligh Avenue to further suppress any impacts 20 on the neighboring properties. 21 Based on the transportation analysis done, the proposed project will decrease the number of 22 23 daily trips by 642. East Sligh Avenue will be less 24 burdened by added traffic under this proposal. 25 As previously mentioned, office hours will

Page 107

be Monday through Friday, 6:00 a.m. to 5:00 p.m., and no weekend office hours. There will also be minimal employees presence on-site as most employees will only be on-site to pick up supplies from the warehouse and go to their off-site job assignments.

7 In addition, the employees coming to the site drive the small, well-kept vans also pictured 8 here. The two loading bays are enclosed on all 9 three sides except for where the trucks would back 10 and make deliveries. This way there's a buffer for 11 12 noise and lights that come from the trucks making 13 deliveries. The frequency of deliveries may vary 14 but should not be a daily occurrence.

15 Mr. Strada, Diego and I made two attempts to 16 meet with the abutting property owners and a small 17 group, but due to concerns with the COVID-19 18 pandemic, that was never scheduled.

However, Diego and I coordinated with Ms. Sheila Mays who lives at 8044 Deerwood Circle directly behind the property, and attended an outdoor socially distant meeting.

23 Ms. Mays notified the entire neighborhood of 24 the meeting, and there were about 30 to 50 people 25 present. We distributed the site plan we had

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Page 108 submitted at the time and renderings of the 1 2 building. Through discussions with a few 3 neighbors, there were a couple of topics that were brought up multiple times. 4 5 First, the neighbors wanted to make sure traffic would not be increased in the neighborhood, 6 7 but the only access to the property being East Sligh Avenue, the neighborhood would see very 8 little traffic increase if any at all. 9 Ms. Casey O'Hern at 8008 Glenn Oak Court to 10 11 the west of the property asked about security 12 measures. We did not provide access to the 13 neighborhood through the property, and we'll keep 14 the property lit after hours to deter unwanted 15 activity on-site. 16 Another topic that multiple neighbors 17 mentioned was the entry sign to the neighborhood. 18 The sign is on the property that Mr. Strada owns, 19 but as you can see on the proposed site plan, we have no intention of changing the sign in any way, 20 21 and the neighborhood can enjoy it as it is now. In conclusion, the Major Modification of the 22 23 current PD to allow for contractors office without 24 outside storage does not set an inappropriate 25 precedent in the area, conforms with the

Page 109 Comprehensive Plan, and minimizes impacts on the 1 2 surrounding neighborhood. Thank you. 3 HEARING MASTER FINCH: Thank you. I appreciate it. If you could please sign in. 4 5 All right. Does that conclude your presentation? You're not wanting to speak. All 6 7 right. Thank you. 8 Development Services, please. 9 MR. LAMPE: Mr. Beachy, you are muted. There we go. Hello, Steve 10 MR. BEACHY: 11 Beachy, Development Services. 12 I think the applicant did a good job of 13 presenting the facts of what -- what they're 14 proposing to develop. It is a 4.6-acre site 15 located on Sligh and Wood Branch Drive. 16 They're proposing to increase the 17 development from 28,000 square feet to 32,5 and 18 predominately from a BPO types of uses to office warehouse. And some of the conditions that we have 19 20 worked on with the applicant would be to change the -- the nature of the -- of the warehouse or the 21 22 building that will be a warehouse and office to 23 tampen down the impacts on the adjacent 24 neighborhood. 25 One of the things that I would mention is

Page 110 that they've agreed to -- in the conditions to 1 2 windows in the back will be in the south side of 3 the property will be no higher than -- the sill will be at least 8 feet tall, which would keep 4 5 the -- any ability of workers in the warehouse from seeing into the backyards of the neighbors. 6 7 They're located to the south. And let's see. I think that -- that's one of the main things 8 9 that I wanted to add that I didn't hear in the presentation. And, again, there will be presenting 10 the -- they've committed to the architectural style 11 12 of the building that they showed in their 13 PowerPoint presentation. And that will be included 14 in the -- on the site plan as they submitted for certification. 15 16 I'm available for any questions if you have 17 any. 18 HEARING MASTER FINCH: I don't have any at 19 this time but thank you. 20 Let's hear from the Planning Commission. 21 MS. HALEY: Jiwuan Haley, Planning Commission. 22 23 The subject property is designated Community 24 Mixed-Use-12 on the Future Land Use Map. It is 25 located within the limits of the East Lake Orient

Page 111 Park Community Plan and is located within the Urban 1 2 Service Area. 3 The CMU-12 Future Land Use category allowed for an FAR of up to .50 floor area ratio for any 4 5 single or mixed use. The maximum overall allowable square footage on-site is 90,822 square feet. 6 The 7 applicant is requesting a total of 32,500 square feet of nonresidential uses. 8 The request is for -- the requested square 9 footage is well below what can be considered on the 10 11 subject site. The property is surrounded by 12 single-family lots to the west and south. A mobile 13 home park is located to the east in order to 14 mitigate for nearby -- for nearby residential 15 development. 16 The site plan proposes landscape buffers and 17 a 6-foot buffer wall along the north and western 18 parameters of the property boundary. A retention 19 pond, landscape buffer, and 6-foot buffer wall are 20 proposed along the southern border as well -- as 21 well, which is immediately adjacent to single-family residential lot. 22 23 A TECO easement and ditch are currently 24 located on the eastern portion of the site and 25 landscape buffer is proposed along the subject

Page 112

property's eastern boundary.

1 2 Buffering and screening provided a gradual 3 transition through site planning to adjacent residential development. The site plan provides an 4 5 access onto East Sligh Avenue, a collector. The development is not proposing an access 6 7 onto Wood Ranch Drive a local roadway. The application fulfills the intent of Objective 16 and 8 Policy 16.1, 16.2, 16.3, and 16.5 and is consistent 9 with the Community Mixed-Use-12 Future Land Use 10 11 category. 12 The subject property is located within the 13 limits of the East Lake Orient Park Community Plan. 14 The community plan seems to promote and provide 15 opportunities for business growth and jobs in the 16 East Lake Orient Park community.

17 The proposed contractors office with 18 warehousing provides employment and economic growth 19 opportunities within the limits of the plan. The 20 request is consistent with the vision of the East 21 Lake Orient Park Community Plan. 22 Based upon these considerations, Planning 23 Commission staff finds the proposed Major 24 Modification consistent with the Future of

Hillsborough Comprehensive Plan for unincorporated

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Page 113 Hillsborough County subject to the conditions 1 2 proposed by the Department of Development Services, 3 and I'm available for any questions if you have -if you have them. Thank you. 4 5 HEARING MASTER FINCH: Thank you. I don't have any questions at this time. 6 7 We'll call for anyone that would like to speak either in favor or against this application. 8 Seeing no one in the room, do we have anyone 9 online? 10 11 MR. LAMPE: The only person we had signed up 12 was Joe Strada. 13 HEARING MASTER FINCH: He's the applicant. 14 All right. Okay. 15 Then we'll go back to County Staff. 16 Mr. Beachy, do you have anything else that you'd like to add before we close? 17 18 MR. BEACHY: I do not. Thank you. 19 HEARING MASTER FINCH: All right. Thank 20 you. 21 MR. GRADY: Madam Hearing Officer, just for 22 the record, the applicant made a mention about a 23 sign on the property. I just want to note for the 24 record that, you know, through the PD process, we 25 don't regulate or approve or permit signs through

Page 114 the zoning process. There are separate permitting 1 2 process for that. 3 So, again, I'm not sure -- it sounded like 4 they're doing -- they had a sign for the subdivision which might be considered an off-site 5 6 sign so -- but again, so I want to put on the 7 record that again, you know, if the sign 8 allowances, you know, are not being, you know, 9 permitted or allowed as part of this PD, and 10 that'll have to go through separate permitting process and will have to comply with those 11 12 requirements. Thank you. 13 HEARING MASTER FINCH: All right. Thank 14 I appreciate that clarification. you. All right. We'll end it with rebuttal. 15 Ιf 16 you have anything you want to add, you don't have to, but it's your opportunity. All right. Thank 17 18 you. 19 Then with that, we'll close Rezoning-PD 20 21-0024 and adjourn the meeting. Thank you-all for 21 your time and attention. 22 (Hearing was concluded at 8:03 p.m.) 23 24 25

	Pac HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS
IN RE:	X ) )
ZONE HEARING HEARINGS	MASTER ) ) ) X
TRANS	ZONING HEARING MASTER HEARING SCRIPT OF TESTIMONY AND PROCEEDINGS
BEFORE:	PAMELA JO HATLEY Land Use Hearing Master
DATE:	Monday, February 15, 2021
TIME:	Commencing at 6:00 p.m. Concluding at 11:35 p.m.
PLACE:	Appeared via Cisco Webex Videoconference
	Reported By:
13	Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 3555 Automobile Blvd., Suite 100 Clearwater, FL 33762 (800) 337-7740

Executive Reporting Service

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Page 10 being continued to the March 15th, 2021, Zoning 1 2 Hearing Master Hearing. 3 Item A-16, Rezoning-PD 20-1270. This application is out of order to be heard and is 4 5 being continued to the March 15th, 2021, Zoning 6 Hearing Master Hearing. 7 Item A-17, Rezoning 20-1377. This 8 application is out of order to be heard and is being continued to the April 19, 2021, Zoning 9 Hearing Master Hearing. 10 11 I'll note for the record that the -- again, 12 the statement that was in the backup that outlined 13 this continuance had the wrong hearing date and we submitted the corrected statement into the record. 14 A-18, Major Mod 21-0024. This application is 15 16 being continued by the applicant to the March 15, 17 2021, Zoning Hearing Master Hearing. 18 Item A-19, Rezoning 21-0034. This 19 application is continued by staff to the 20 March 15th, 2021, Zoning Hearing Master Hearing. 21 Item A-20, Major Mod 21-0036. This 22 application is out of order to be heard and is 23 being continued to the April 19, 2021, Zoning 24 Hearing Master Hearing. 25 Item A-21, Major Mod 21-0038. This

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	Page 1 SBOROUGH COUNTY, FLORIDA D OF COUNTY COMMISSIONERS
IN RE: ZONE HEARING MAST HEARINGS	) ) )
	NG HEARING MASTER HEARING T OF TESTIMONY AND PROCEEDINGS
BEFORE:	DWIGHT WELLS Land Use Hearing Master
DATE:	Tuesday, January 19, 2021
TIME:	Commencing at 6:00 p.m. Concluding at 6:08 p.m.
PLACE:	Appeared via Webex Videoconference
	Reported By:
Exe Ul: 13555 .	hristina M. Walsh, RPR cutive Reporting Service merton Business Center Automobile Blvd., Suite 100 Clearwater, FL 33762 (800) 337-7740

Executive Reporting Service

Page 11 application is out of order to be heard and is 1 2 being continued to the February 15th, 2021, Zoning Hearing Master Hearing beginning at 6:00 p.m. 3 Item A-22, Rezoning-Standard 20-1279. 4 This 5 application is being continued by staff to the February 15th, 2021, Zoning Hearing Master Hearing 6 7 beginning at 6:00 p.m. 8 Item A-23, Rezoning-Standard 20-1282. This application is out of order to be heard and is 9 10 being continued to the February 15th, 2021, Zoning Hearing Master Hearing beginning at 6:00 p.m. 11 Item A-24, Rezoning-PD 20-1377. This 12 13 application is out of order to be heard and is 14 being continued to the February 15th, 2021, Zoning 15 Hearing Master Hearing beginning at 6:00 p.m. 16 Item A-25, Major Mod Application 21-0024. 17 This application is being continued by the applicant to the February 15th, 2021, Zoning 18 19 Hearing Master Hearing beginning at 6:00 p.m. 20 Item A-26, Rezoning-PD 20-0034 (sic). This 21 application is being continued by the applicant to 22 the February 15th, 2021, Zoning Hearing Master 23 Hearing beginning at 6:00 p.m. 24 Item A-27, Major Mod Application 21-0036. 25 This application is out of order to be heard and is

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## EXHIBITS SUBMITTED DURING THE ZHM HEARING

SIGN-IN SHEET: RFR, ZHM PHM, LUHO PAGE OF		
DATE/TIME: 4/19/	21 HEARING MASTER: Susan Finch	
PLEASE PRINT CLI	EARLY, THIS INFORMATION WILL BE USED FOR MAILING	
<b>APPLICATION #</b>	NAME TU MAI (H.T. MAI, INC)	
21-0242		
6	ADDRESS 14031 N. Dale Mabry Highway	
	CITY TAMPA STATE FL ZIP 33613 PHONE (513) 962.6230	
APPLICATION #	NAME WILLIAM CBROWN III	
21-0420	ADDRESS 2810 Bruzken Rd	
	CITY VILLICO STATE E ZIP 33546 PHONE 4765	
APPLICATION #	PLEASE PRINT NAME Kami Corbett	
	ADDRESS 101 E Kennely Blvd Stc. 3700	
19-1458	CITY JAMOA STATE ZIP362 PHONE 813-8303447	
APPLICATION #	PLEASE PRINT NAME Foutsule albert	
10.1/100	ADDRESS 1000 Nachley Dr	
19-1458	CITY Jampa STATE ZIP 3360 PHONE \$136204500	
APPLICATION #	NAME TONE HENRY	
1a luca	ADDRESS SUZZ W. LANGEL ST	
19-1458	CITY TPA STATEFL ZIP 33667 E13-269 PHONE CORS	
	CITYSTATEZIPPHONEOOS9.	
APPLICATION #	PLEASE PRINT STEVEN K LUCE	
19-1458	ADDRESS I'l S. ARMENIA AVE	
	CITY <u>FAMPA</u> STATE <u>FL</u> ZIP <u>33629</u> PHONE <u>813-767-576</u> 3	

SIGN-IN SHEET: RFR, CHM, PHM, LUHO

DATE/TIME: 4/19/2

PAGE 2 OF 2

HEARING MASTER: Susan Finch

PLEASE <b>PRINT CLEARLY</b> , THIS INFORMATION WILL BE USED FOR MAILING		
<b>APPLICATION #</b>	ADDRESS BS SBLU	
20-1256	ADDRESS 32 SBhl	
	CITY Jonny STATE The ZIP PHONE 254-7157	
APPLICATION #	PLEASE PRINT Reinaldo (RAY) Rose	
20- 1256	ADDRESS 114 S. Westland Ave	
	CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33606</u> PHONE <u>813245</u> 1069	
<b>APPLICATION #</b>	NAME Fronk Zasa	
20-1256	ADDRESS	
vs	CITYSTATE ZIPPHONE	
<b>APPLICATION #</b>	PLEASE PRINT NAME DIEGO DURAN	
21-0024	ADDRESS 2100 RAGETRACK RD	
	CITY TAMPA STATE FL ZIP 33626 PHONE 7276571789	
<b>APPLICATION #</b>	PLEASE PRINT NAME Aylor Moser	
21-0024	ADDRESS 12100 Racetrack Road CITY Tampa STATEFL ZIP 33624PHONE 9042480833	
	CITY TAMPO STATE FL ZIP 32624PHONE 9042480833	
<b>APPLICATION #</b>	PLEASE PRINT NAME	
	ADDRESS	
	CITY STATEZIPPHONE	

### HEARING TYPE: ZHM, PHM, VRH, LUHO

DATE: <u>4//19/2021</u>

HEARING MASTER: Susan Finch

PAGE: <u>1</u>OF<u>1</u>

APPLICATION #	SUBMITTED BY	EXHIBITS SUBMITTED	HRG. MASTER YES OR NO
RZ 21-0024	Brian Grady	1. Revised Staff Report	Yes (copy)
RZ 21-0242	Tu Mai	1. Applicant Presentation Packet	No
RZ 19-1458	Steve Henry	1. Applicant Presentation Packet	No
RZ 19-1458	Isabelle Albert	2. Applicant Presentation Packet	No
RZ 19-1458	Kami Corbett	3. Applicant Presentation Packet	No
RZ 20-1256	William Molloy	1. Applicant Presentation Packet	No

#### APRIL 19, 2021 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, April 19, 2021, at 6:00 p.m., held virtually.

Susan Finch, ZHM, called the meeting to order and led in the pledge of allegiance to the flag.

A. WITHDRAWALS AND CONTINUANCES

Brian Grady, Development Services, reviewed changes/withdrawals/continuances.

Susan Finch, ZHM, overview of ZHM process.

Mary Dorman, Senior Assistant County Attorney, overview of oral argument/ZHM process.

Susan Finch, ZHM, Oath

B. REMANDS - Not Addressed.

C. REZONING STANDARD (RZ-STD):

C.1. RZ 21-0242

Brian Grady, Development Services, calls RZ 21-0242.

▶ Tu Mai, applicant rep, presents testimony.

Susan Finch, ZHM, questions to applicant rep.

Tu Mai, applicant rep, answers ZHM questions and continues testimony.

Susan Finch, ZHM, questions to applicant rep.

Tu Mai, applicant rep, answers ZHM questions.

Isis Brown, Development Services, staff report.

Susan Finch, ZHM, questions to Development Services Staff.

Isis Brown, Development Services, answers ZHM questions.

Brian Grady, Development Services Staff, answers ZHM questions.

Jiwuan Haley, Planning Commission, staff report.

#### MONDAY, APRIL 19, 2021

Susan Finch, ZHM, questions to Planning Commission Staff.

Jiwuan Haley, Planning Commission, answers ZHM questions.

Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep.

▶ Tu Mai, applicant rep, provides rebuttal.

Susan Finch, ZHM, closes RZ 21-0242.

#### C.2. RZ 21-0429

Brian Grady, Development Services, calls RZ 21-0429.

William L. Brown III, applicant, presents testimony.

Christopher Grandienard, Development Services, staff report.

Susan Finch, ZHM, questions to Development Services Staff.

Christopher Grandienard, Development Services, answers ZHM questions.

Brian Grady, Development Services, answers ZHM questions.

James Ratliff, Development Services Transportation, answers ZHM questions.

Jiwuan Haley, Planning Commission, staff report.

Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant/closes RZ 21-0429.

D. REZONING-PLANNED DEVELOPMENT (RZ-PD) & MAJOR MODIFICATION (MM):

D.1. RZ 19-1458

Brian Grady, Development Services, calls RZ 19-1458.

Susan Finch, ZHM, questions to County Attorney.

Cameron Clark, Senior Assistant County Attorney, answers ZHM.

Kami Corbett, applicant rep, presents testimony.

Susan Finch, ZHM, questions applicant rep.

▶ Kami Corbett, Isabelle Albert, Steve Henry, and Steve Luce, applicant reps, answer ZHM questions and continue testimony.

Cameron Clark, Senior Assistant County Attorney, answers applicant rep.

Michelle Heinrich, Development Services, staff report.

Jiwuan Haley, Planning Commission, staff report.

Susan Finch, ZHM, questions County Attorney.

Susan Finch, ZHM, calls proponents/opponents/Development Services.

Susan Finch, ZHM, questions County Attorney.

Cameron Clark, Senior Assistant County Attorney, answers ZHM questions.

Kami Corbett, applicant rep, provides rebuttal.

Susan Finch, ZHM, questions to applicant rep.

▶ Kami Corbett, applicant rep, answers ZHM questions and continues rebuttal.

Susan Finch, ZHM, closes RZ 19-1458.

D.2. RZ 20-1256

Brian Grady, Development Services, calls RZ 20-1256.

William Molloy, applicant rep, presents testimony.

Susan Finch, ZHM, questions to applicant rep.

▶ William Molloy, applicant rep, answers ZHM questions and continues testimony.

Reinaldo Rose, applicant rep, presents testimony.

Michelle Heinrich, Development Services, staff report.

Jiwuan Haley, Planning Commission, staff report.

Susan Finch, ZHM, calls proponents/opponents.

Frank Zasa, opponent, presents testimony.

Susan Finch, ZHM, questions Development Services Staff.

#### MONDAY, APRIL 19, 2021

Brian Grady, Development Services, answers ZHM questions.
William Malloy, applicant rep, provides rebuttal.
Susan Finch, ZHM, closes RZ 20-1256.
D.3. MM 21-0024
Brian Grady, Development Services, calls MM 21-0024.
Taylor Moser, applicant rep, presents testimony.
Brian Grady, Development Services, statement for the record.
Diego Duran, applicant rep, provides authorization.
Taylor Moser, applicant rep, continues testimony.
Steve Beachy, Development Services, staff report.
Jiwuan Haley, Planning Commission, staff report.
Susan Finch, ZHM, calls proponents/Development Services.
Brian Grady, Development Services, statement for record.
Authorization.

Susan Finch, ZHM, adjourns meeting.

Application	No21-0	1024
Name:	srian Mro	dy
Entered at Pi	ublic Hearing:	ZHM
Exhibit #	1 Date:	4/19/21



#### **STAFF REPORT**

SUBJECT:	PD 21-0024	PLANNING AREA:	East Lake Orient Park
REQUEST:	Major Modification to Planned	SECTOR	Central
	Development		
APPLICANT:	Joseph Strada	· · · · · ·	
<b>Existing Zonin</b>	g:PD	Comp Plan Category	: CMU-12



CASE REVIEWER: Steve Beachy, AICP

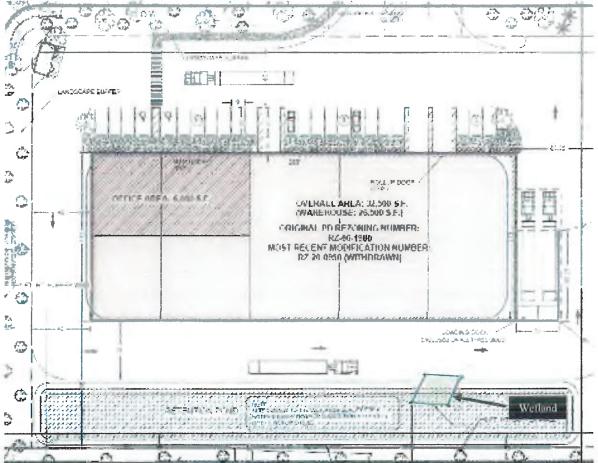
#### **Application Review Summary and Recommendation**

1.0 Summary

#### 1.1 Project Narrative

The applicant is requesting a modification of the existing Planned Development (PD) to allow the for the development of a contractor's office / warehouse facility with no open storage on a 4.16 acre site and located at the southeast corner of Sligh Avenue and Wood Branch Drive. The applicant is proposing to modify the PD site plan and conditions of approvel to develop an electrical contractor's office with 6,000 SF of office space and 26,500 SF of warehouse space. The detail of the site plan below shows the main structure footprint (highlighted in red) in the center of the lot with two loading bays and a stormwater retention pond located to the south of the parcel and serving as buffer to the single family homes located adjacent and to the south of the site. The applicant has indicated they intend to construct the office and warehouse to look like a unified office building rather than a warehouse. TECO transmission lines are located on the eastern third of the parcel. As noted in Exhibit 2 a small wetland is located on the site mostly in the envelope of the retention pond.





The existing PD (06-1980) is currently approved for 28,000 sf of Business, Professional Office Uses with a site plan showing 8 separate offfices buildings/structures and a pedestrian connection (highlighted in red) to Wood Branch Drive and the Woodlands Neighborhood.

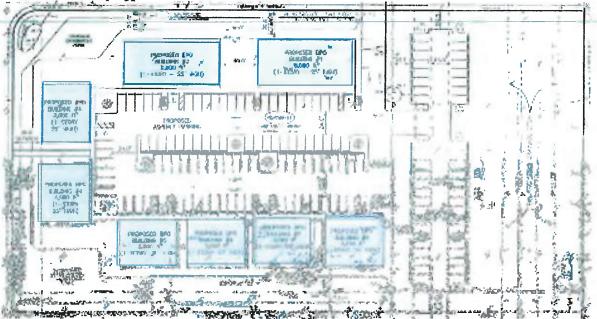


Exhibit 3: Existing Approved Site Plan PD 06-1980

EXHIBIT 4: Existing Site : View from NW corner subject site



CASE REVIEWER: Steve Beachy, AICP

#### **Proposed Development Standards**

The applicant has proposed development standards conforming to the CG Zoning designation. The proposed Floor to Area ratio (FAR) of project is 0.17 compared to the maximum allowed in a CG district of 0.27. Maximum height of the building will be 25 feet compared to the allowed 50 foot height of the district. The project will be required to provide a 20 foot Type B buffer adjacent to the single family homes to the south. A type B buffer will include a 6-foot barrier/fencing with 75 percent opacity and a row of evergreen shade trees which are not less than ten feet high at the time of planting, and are a minimum of two-inch caliper, and are spaced not more than 20 feet apart. Front yard setbacks of 30 feet are required on the north and west sides of the subject parcel.

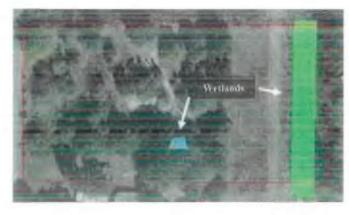
#### Connectivity/Access

Access for the project will be limited to one access point on East Sligh Avenue which will align with the Emery Mill Drive serving the Cross Creek Apartment Complex on the north side of East Sligh Avenue.

The pedestrian connection to Wood Branch Drive and the Woodlands neighborhood, to the west has been eliminated. Staff supports the elimination of this connection as an electrical contractor's office is not likely to utilize a pedestrian connection with the adjacent neighborhood in the same way a business professionl office could utilize the connection.

#### Environmental

Exhibit 5 Map Depicting Location of Wetlands



The site contains two (2) wetlands located as depicted in Exhibit 5. The smaller wetland will be most enveloped in the stormwater retention pond as depicted on the site plan, and the larger wetland is located on the eastern edge of the parcel on the TECO Easement. Both wetland have been identified as "likely exempted" and have been verified as likely exempt by EPC.

#### 1.2 Compliance Overview with Land Development Code and Technical Manuals

The applicant has not requested any variations to Land Development Code Part 6.05.00 (Parking/Loading), or Part 6.07.00 (Fences/Walls), or Part 6.06.06 (Buffering and Screening).

#### **1.3 Analysis of Recommended Conditions**

The recommended conditions provide for the following changes to the existing PD conditions for PD 06-1980.

- Maximum permitted square footage will increase from 28,000sf to 32,500sf.
- Conditions requiring that development retain a residential character as is common with BPO structures and zoning have been replaced with conditions regulating the appearance of the primary structure to minimize impacts on the single family homes located to the south of the site.
- The operating hours have changed to accommodate a contractor's office and are restricted to 6 AM to 5 PM Monday through Friday.
- Transportation conditions have been modified and eliminated as noted in the transportation agency comments. The site plan has been modified to align the access on Sligh Avenue with Emery Mill Drive on the northern side of Sligh Avenue East.
- Outdated conditions referring to concurrency and transportation conditions have been largely modified to comport with current practice.

#### 1.4 Evaluation of Existing and Planned Public Facilities

#### Utilities

The subject parcel is located in the urban service area therefore regulated by the current policies and requirements of the comprehensive plan and the land development code which requires connections to public facilities, where feasible. The site lies within the City of Tampa water and wastewater service area and therefore will have to connect with the City of Tampa Water and Wastewater services

#### Transportation

Transportation Review Section staff has no objection to the proposed rezoning and has provided conditions of approval. The proposed zoning modification is anticipated to decrease (by 642 average daily trips, 24 AM peak hour trips, and 33 PM peak hour trips) the maximum trip generation potential of the subject site at buildout. Vehicular access to the project will be restricted to Sligh Ave. and shall align with Emery Mill Dr. Staff has proposed modifications to existing approved zoning conditions changes to comport with current practice and/or to reflect changes in development requirements due to the applicant's proposed zoning modification.

#### 1.5 Comprehensive Plan Consistency

Planning Commission staff has found the proposed planned development is *Consistent* with the Future of Hillsborough Comprehensive Plan.

#### **1.6 Compatibility**

Adjacent zoning and uses are as follows:

#### **Exhibit 6: Matrix of Adjacent Uses**

LOCATION	ZONING	LAND USE
North	PD 06-1817	East Sligh Avenue and Apartment Complex
South	RSC-6	Single Family Residential
East	Mostly CN and a small portion of CI	Non Conforming Mobil Home Park and Vacant
West	RSC-6	Wood Branch Drive and Single Family Residential

As Exhibit 6 indidcates, the subject parcel is surrounded by a mix of residential uses to the north east south and west. The residential uses to the north are multi family and the residential use to the east is a mobile home park nonconforming to the CN zoning designation. The single-family homes to the south and west of the subject parcel are part of an established single family residential neighborhood. However, the land uses immediately surrounding the subject parcel do not match the predominantly light industrial commercial uses that are located in the larger surrounding area and specifically north of East Sligh Avenue.

The existing pattern of development within a  $3^{rd}$  of a mile from to proposed project is a mix of commercial and light industrial uses to the east and north of the project. The project site is located approximately a half mile from the intersection of U.S. 301 and East Sligh avenue where a number of similar uses are located.

The applicant has agreed to certain conditions that will minimize the impacts of a contractor's office adjacent to the single-family residential neighborhood two the south and west. These conditions include no windows on the south side of the building and limited hours of operation. In addition the applicant has agreed to design and construct the office and warehouse portions of the structure in a unified maner so that the warehouse will look more like an office than a warehouse.

Based on the pattern of existing development in proximity to the proposed project and the accommodation proposed by the applicant for the single family homes adjacent to the project, staff believe the project will not introduce any new incompatibilities in the immediate area.

#### **1.6 Recommendation**

Based on the above considerations staff finds the proposed general site development plan approvable.

#### **1.7 Agency Comments**

The following agencies have reviewed the request:

- Water Resource Services
- Environmental Protection Commission with conditions
- Development Service, Impact Fee and Mobility
- Development Services, Transportation, with conditions
- Tampa Electric Company

CASE REVIEWER: Steve Beachy, AICP

#### 1.8 Exhibits

Exhibit 1: Project Location Map Exhibit 2: Detail of Proposed Site Plan MM21-0024 Exhibit 3: Existing Approved Site Plan PD 06-1980 Exhibit 4: Existing Site : View from NW corner subject site Exhibit 5: Map Depicting Location of Wetlands Exhibit 6: Matrix of Adjacent Uses Exhibit 7: General Development Site Plan MM21-0024 Exhibit 8: Intermediate Zoning Map Exhibit 9: Future Land Use Map

#### 2.0 Recommendation

Prior to PD site plan certification, the applicant shall revise the PD plan to eliminate a graphic error depicted on the site plan adjacent to the loading bays. <u>In addition, the applicant shall revise the PD Plan by inserting a photo of a building that depicts the architectural style of the structure the applicant intends to construct on the subject site.</u>

**Approval -** Approval of the request, subject to the conditions listed below, is based on the general site plan submitted March 30, 2021.

- The project may be permitted a maximum of 32,500 28,000, square feet of Contractors Office without Open Storage BPO (Business, Professional Office) uses. Subject to formal delineation of on-site conservation areas, preservation areas and water bodies and final calculation of maximum intensity (FAR) permitted by the Comprehensive Plan in accordance with the Environmentally Sensitive Lands Credits requirement of the Comprehensive Plan. If the maximum square footage for the project as permitted herein exceeds the maximum intensity (FAR) permitted by the Comprehensive Plan, per the Environmentally Sensitive Lands Credits requirement, the square footage of the project shall decrease as necessary to conform to the Comprehensive Plan.
  - 1.1 As shown in the submitted transportation analysis, this site may be permitted up to <u>32,500 28.000 square feet of a contractor's office without open storage.</u> general office uses. Medical office development may not be permitted without the submission of a detailed transportation analysis.
  - 1.2 Approval of this rezoning does not grant approval of the mobile home that, based upon the submitted site plan, encroaches into the southeast comer of the site.
- 2. Unless otherwise stated herein, the project shall be developed in accordance with <u>CG</u> BPO zoning district standards.

2.1 The maximum size of individual buildings shall be as shown on the site plan.

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- 2.2 Buildings shall be single story with pitched roof lines and a maximum height of 25 feet.
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- 2.3 Buildings shall retain a residential character. In addition, at least 60% of the length of each facade that faces a public right-of way shall be comprised of windows, shutters, transoms, awnings, porches, doors, recessed entryways, porticos, or pilasters. Prior to Construction Plan approval, the developer shall submit a building elevation indicating consistency with this condition. The exterior of the building including warehouse area will retain the character of a professional office building. The number of transom/windows on the south and west elevations will be kept to a minimum to preserve homeowner privacy. The bottom sill of the transom windows will be maintained at a minimum of 8 feet on the south and west elevations. Lighting will be heat to deter after hours activity onsite. Lighting will be provided in accordance with the Land Development Code
- 2.4 The building will be constructed in an architectural style that is in accordance with the photo attached to the PD General Development Site Plan.
- 3. Buffering and screening shall be provided in accordance with the Land Development Code unless otherwise provided herein.
  - 3.1 A 20-foot buffer shall be provided along Sligh Avenue and Wood Branch Drive and between the property and abutting houses to the south. A 4 foot split rail or wrought iron fence shall be provided along said rights-of-way. A masonry wall that meets the land development code standards for the applicable screening standard will be provided along the south border of the property and Wood Branch Avenue. Landscaping shall be in accordance with the Land Development Code. Solid walls and/or fences shall not be permitted along Sligh and Wood Branch Drive. Prior to Site Plan Certification, the developer shall modify the plan to indicate these requirements.
  - 3.2 The planting of required trees shall be sensitive to overhead electric utility lines. Trees that exceed a mature overall height of 20 feet shall not be planted within 30 feet of an existing or proposed overhead electric utility line.
  - 4. Hours of operation shall be from <u>6.9</u>:00 am to <u>59</u>:00 pm Monday through Friday. <del>and <u>9:00am-to-5:00pm on Saturday.</u></del>

- 5. The project shall be subject to all tree preservation requirements of the Land Development Code.
- Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
- The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
- Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
- Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
- 10. The general design, number and location of the access point(s) shall be regulated by the Hillsborough County Access Management regulations as found in the Land Development Code (Land Development Code Section 6.04). The design and construction of curb cuts are subject to approval by the Hillsborough County Planning and Growth Management Department. Final design, if approved by Hillsborough County Planning and Growth Management Department may include, but is not limited too: left turn lanes, acceleration lane(s) and deceleration lane(s). Access points may be restricted in movements. The project shall be permitted one (1) vehicular access connection to Sligh Ave., which shall align with Emery Mill Dr. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundaries.
- 11. Prior to Concurrency approval, the Developer shall provide a traffic analysis, signed by a Professional Engineer, showing the length of the left and right turn lanes needed to serve development traffic at the project driveway(s) and at impacted intersections. If it is determined by the results of the analysis submitted by the developer, that adequate right of way does not exist to construct any needed improvements (i.e. turn lanes), then the developer shall re-submit an analysis showing the maximum development that could occur to still enable the needed improvements to be constructed. The development will be limited to the size as shown in the submitted analysis.

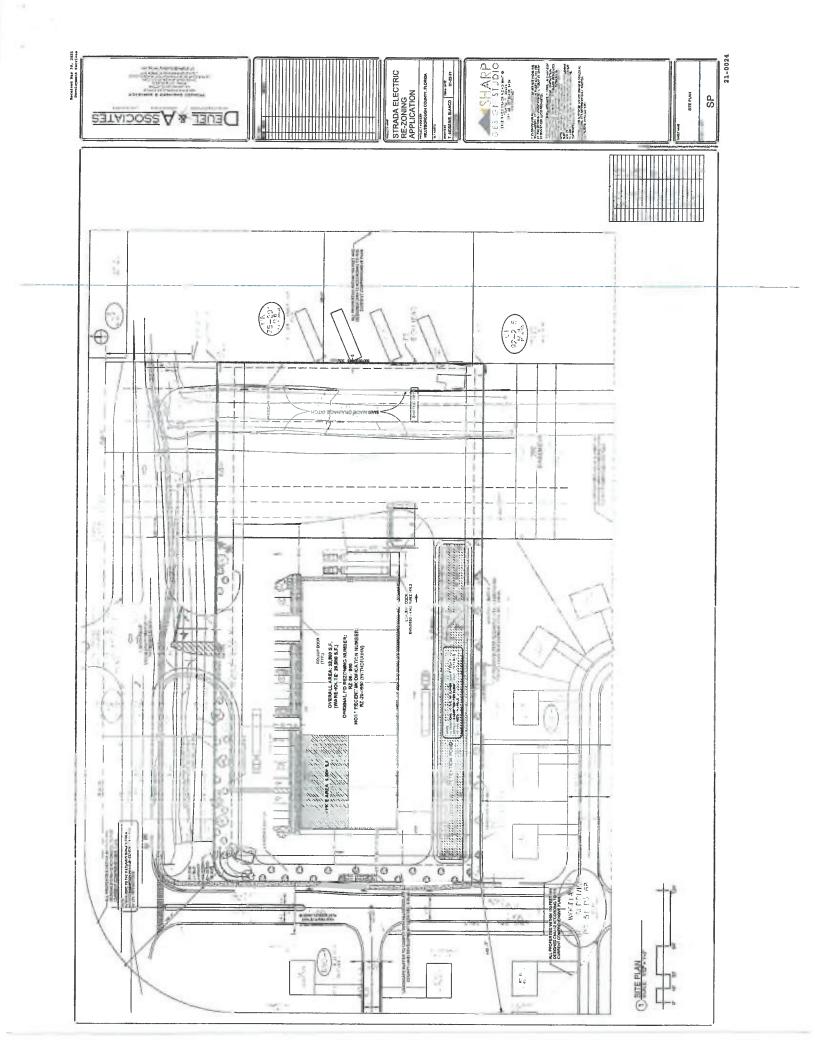
- 12. Based on the projected trip generation to the site, access onto the public road would be via "Type II", Minor Roadway Connection (50 1500 trip ends per day), LDC 6.04.01.E ... Accordingly, the Land Development Code requires (see LDC 6.04.03 G) that all internal access (the "throat") to the driveways- must be a minimum of 50 feet from the edge of pavement of the public roadway, and shall remain free of internal connections or parking spaces which might interfere with the movement of vehicles into or out of the site. The applicant has the option of submitting an analysis showing that for his particular site, a throat of less than 50 feet is appropriate and will result in no adverse impact to the public roadway system. If the Driveway is to be gated, then the throat depth may exceed 50 feet in length to accommodate stacking vehicles.
- 13. The developer shall construct a left turn lane into the site. Pending the results of the transportation analysis, other improvements may include building/extending turn lanes at the adjacent intersection. If it is determined by the results of the analysis submitted by the developer, that adequate right of way does not exist to construct any needed intprovements (i.e. turn lanes), then the developer shall resubmit an analysis showing the maximum development that could occur to still enable the needed improvements to be constructed. The development will be limited to the size as shown in the submitted analysis.
  - 13.1 The developer shall financially support the intersection improvements at Orient Road and Sligh Avenue, the amount to be determined at site development review.
- 14. The applicant shall be required to pave any portion of the access drive which lies within the existing right of way (LDC 6.04.05).
- 35. As is noted in the Land Development Code, one of the major reasons for diminished capacity of public roads is an increase in access points along roadways which increases the potential conflict points. Because of this, the applicant shall show the ability to provide cross access to adjacent parcels of like land uses. If any of the adjacent properties are developed under the same developer/owner, then cross access must be provided. All cross access shall be in accordance with the Hillsborough County Land Development Code Section 6.04.03 Q.
- 16. If required to meet Concurrency, at a minimum, the Developer shall provide a traffic analysis, signed by a Professional Engineer, showing the types of improvements needed to serve background plus development traffic. The developer shall be responsible for any construction needed to off set the impacts from the development.

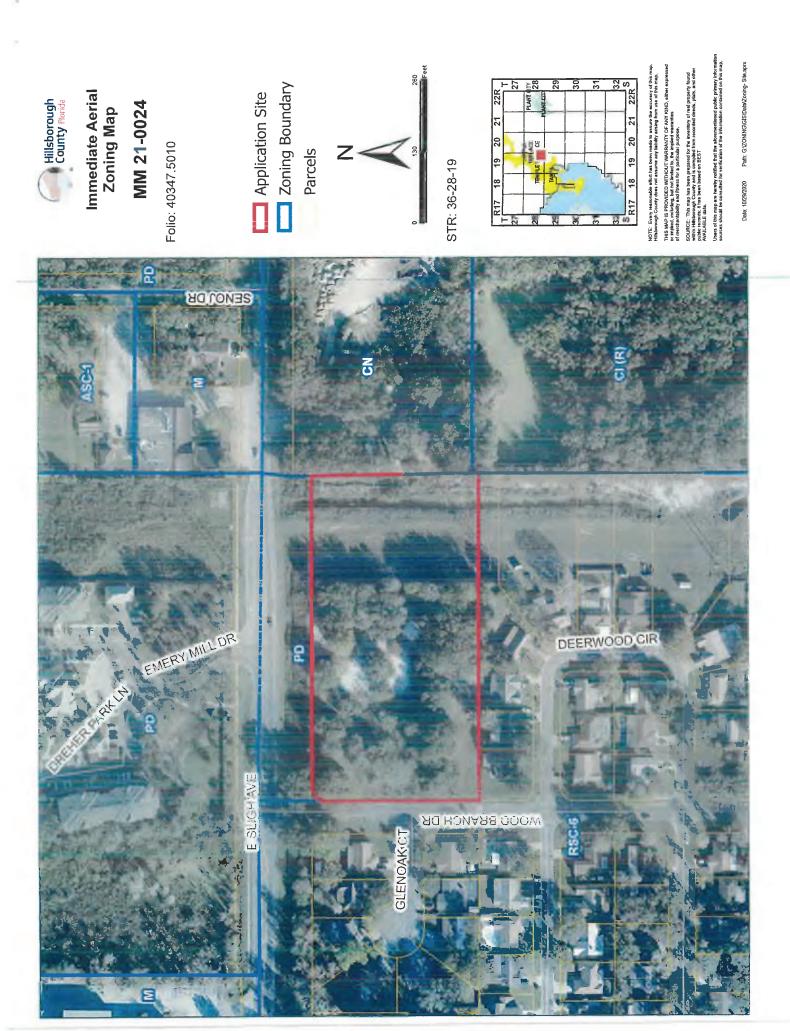
- 17. The Developer shall-construct sidewalks within the right-of-way along all roadways adjacent to the property boundaries and along both sides of all internal roadways. The sidewalks shall be a minimum width of five (5) feet. Pedestrian interconnectivity shall be provided between uses and adjacent parcels.
- 18. The applicant shall provide internal access to any existing or future out parcels on the site (LDC 5.03.05 H).
- 19. Prior to the issuance of certificates of occupancy, the applicant shall improve/widen Sligh Avenue adjacent to the site to County standards. As Sligh Ave. is a substandard collector roadway, the developer will be required to improve Sligh Ave., between the project entrance and nearest standard portion of Sligh Ave. (i.e. +/- 650 feet east of the subject site) to current County standards for a TS- 7 collector roadway as found within the Hillsborough County Transportation Technical Manual (TTM).
- 20. The developer shall install along the easternmost boundary of the parking area a 4-foot high split-rail or wrought-iron fence of the same design as provided along Sligh Avenue and Wood Branch Drive in accordance with conditions contained herein. The provision of this fence, as well as the location of said fence, shall be subject to review and approval by TECO and the Public Works Department.
- 21. The stormwater management system shall be designed and constructed in such a manner so as to not adversely impact off-site surface and groundwater elevations.
- 22. The type, location, size and number of signs permitted shall be as set forth in Part 7.03.00 of the Land Development Code with the following exception(s):
  - 22.1 Ground Signs shall be limited to Monument Signs.
  - 22.2 Billboards, pennants and banners shall be prohibited.
- 23. Approval of this application does not ensure that water will be available at the time when the applicant seeks permits to actually develop.
- 24. Approval of this rezoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to wetlands, and does not grant any implied or vested right to environmental approvals.

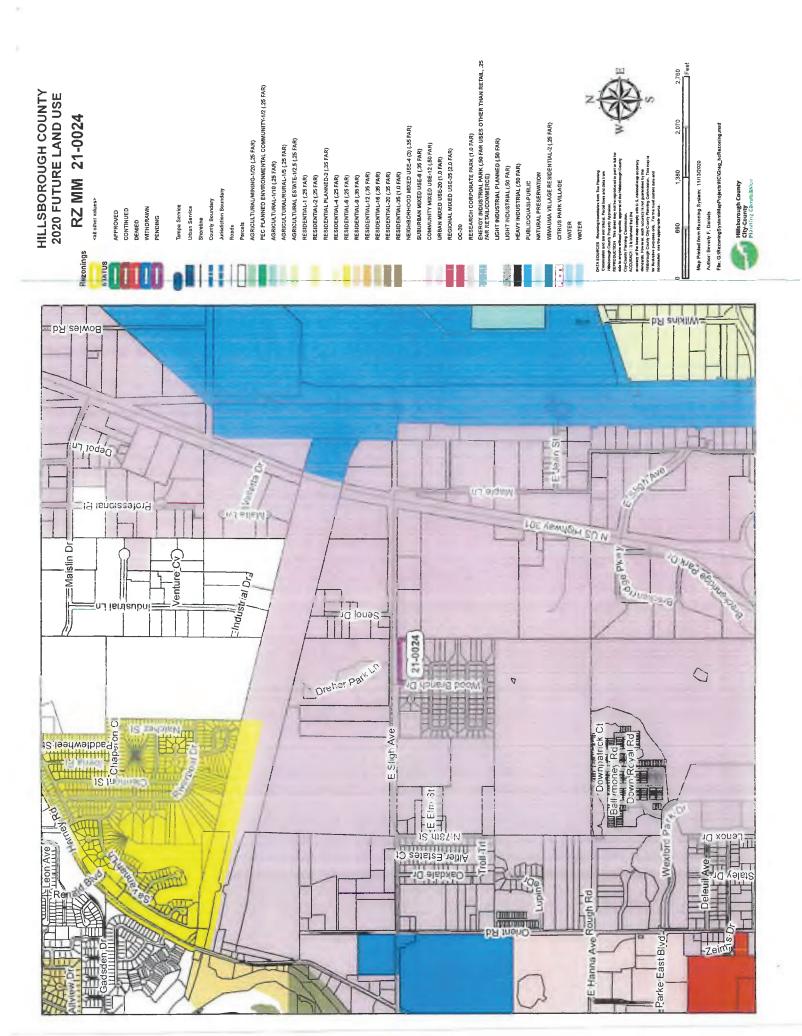
- 25. The developer shall submit an application for review and approval by the TECO Land Use Committee. Any improvements within the TECO easement, including parking areas and any drainage structures shall be subject to review and approval by TECO.
- 26. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.
- 27. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.
- 28. Within 90 days of approval by the Hillsborough County Board of County Commissioners, the applicant shall submit to the <u>Plearing and-Growth Management Development Services</u> Department a revised General Development Plan for certification which conforms to the notes and graphic of the plan to the conditions outlined above and the Land Development Code (LDC). Subsequent to certification of the plan, if it is determined the certified plan does not accurately reflect the conditions of approval or requirements of the LDC, said plan will be deemed invalid and certification of the revised plan will be required.
- 29. Effective as of February 1, 1990, this development order/permit shall meet the concurrency requirements of Chapter 163, Part II, Florida Statutes. Approval of this development order/permit does not constitute a guarantee that there will be public facilities at the time of application for subsequent development orders or permits to allow issuance of such development orders or permits

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Staff's Recommendation: Approvable, Subject to Conditions Zoning Administrator Sign-off: Mon Apr 12 2021 13:42:35







# PARTY OF RECORD

